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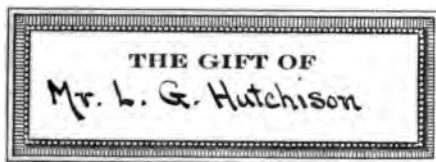
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FIFTH EDITION.



CIVIL GOVERNMENT
OF
MICHIGAN.

H. R. PATTENGILL.



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CHANGES MADE BY THE LEGISLATURE AND THE PEOPLE IN 1893.

The salaries of the executive officers of this State as now established are: Governor, \$4,000; Lieut. Governor, \$1,200; Auditor General, \$3,000; Attorney General, \$3,000; Treasurer, \$2,000; Secretary of State, \$2,000; Superintendent of Public Instruction, \$2,000; Commissioner of Land Office, \$2,000.

Salary of Justices of the Supreme Court, \$7,000.

SEC. 49 was added to Article IV. It gives the county power under certain restrictions to lay out and construct roads.

SEC. 8, ART. V. was amended by adding the following words: "And in all such other cases and matters as the Supreme Court shall by rule prescribe."

SEC. 9, ART. XIV. was amended by adding a clause permitting Grand Rapids to issue bonds for the improvement of Grand River.

Graduates of colleges that conform to certain requirements are given State certificates.

The Legislature of 1893 established a "Home for Feeble Minded and Epileptic."

The name of "Reform School for Boys" was changed to "Industrial School for Boys."

"Food and Dairy Commissioner" was a new subordinate State office established by the Legislature of 1893.

Women possessing an educational qualification were given the right to vote at school and municipal elections.

Four amendments were made to the Constitution, making in all 34 that have been adopted.

THE
CIVIL GOVERNMENT
OF
MICHIGAN

Fifth Edition (Twentieth Thousand to Twenty-eighth Thousand)

COMPILED BY

HENRY R. PATTENGILL

EDITOR OF MICHIGAN SCHOOL MODERATOR, AUTHOR OF MANUAL OF
ORTHOGRAPHY, SPECIAL DAY EXERCISES, TIP-TOP PIECES FOR
LITTLE FOLKS, THOUGHTS FOR THOSE WHO THINK,
MICHIGAN GEOGRAPHICAL AND
HISTORICAL CARDS,
ETC., ETC.



LANSING, MICH.:
ROBERT SMITH, PUBLISHER.
1893.

WHAT constitutes a State?
Not high-raised battlement or labored mound,
Thick wall or moated gate;
Not cities prond with spires and turrets crowned;
Not bays and broad-armed ports,
Where, laughing at the storm, rich navies ride;
Not starred and spangled courts,
Where low-browed baseness wafts perfume to pride.
No: *men*—high-minded *men*,
With powers as far above dull brutes endued,
In forest, brake, or den,
As beasts excel cold rocks and brambles rude;
Men who their duties know,
But know their rights, and knowing dare maintain.
—*Sir William Jones.*

PREFACE.

THE study of government as a preparation for citizenship has become, very properly, a prominent branch in our public school courses. There are several different text-books on this subject now in use among the schools of this State. It is not the purpose of this volume to encroach upon the territory which they so ably occupy. Civics and the fundamental principles of State and National government should be first taught, and then should follow the details of the workings, as shown in our local affairs.

Leaving the field of general government to the able works already in the hands of pupils and teachers, this little volume contemplates only the supplementary part of giving the Constitution of Michigan in compact form, with such explanatory notes and additions as may be necessary to a fair understanding of our State government.

The constitution has been placed first, and should be made the basis of the study. The classification in the constitution is not such as the teacher would follow, hence the necessity of the suggestive synopses which we have added. Let each section of the constitution be studied carefully, references to the notes and additional chapters being used to complete the work.

The author desires in this connection to acknowledge the many hints and helps obtained from various authorities, among which may be mentioned Ostrander's and Cocker's Civil Governments, and the Legislative Manual compiled by the Secretary of State.

HENRY R. PATTENGILL.

Lansing, Mich., June 3, 1887.

" " *July 4, 1889.*

" " *Nov. 4, 1890.*

" " *Aug. 14, 1891.*

" " *Feb. 22, 1893.*

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INTRODUCTION.

AN OUTLINE OF THE HISTORY OF MICHIGAN.

Michigan derives its name from the two Chippewa words *Mitchaw*, great, and *Lagiegan* lake, and signifies the country of the great lakes.

The first Europeans to explore and occupy Michigan territory were the missionaries and fur traders of Canada early in the sixteenth century; but the first permanent settlement in Michigan, of which there exists any authentic account, was at Sault de Ste. Marie, in the year 1668, under the direction of Jacques Marquette, a Jesuit priest of France.

This, like all the early settlements of the territory now constituting the State of Michigan, was a missionary station, established with the sole purpose of converting the Indians.

The actual settlement of Michigan, for the purpose of colonization and civil government, dates from the founding of Detroit by La Motte Cadillac, on the 24th of July, 1701.

September 8, 1760, the French surrendered Michigan, together with Canada, to Great Britain, which surrender was ratified by the treaty—Paris, February 10, 1763—and Michigan continued under English rule until after the American Revolution. July 1, 1796, Michigan formally passed into

possession of the United States and became a part of the Northwest Territory. At this period all of Michigan away from Mackinac and the Detroit river was an unbroken wilderness.

In 1800 the Northwest territory was divided into two territories, the one retaining the name Northwest Territory, the other receiving the name of Indiana Territory; the former embracing the eastern half and the latter the western half of Michigan, the dividing north and south line passing a few miles west of Mackinac.

In 1802 Ohio was admitted to the Union, and all of Michigan became a part of Indiana Territory, and so continued until by an act of Congress, July 11, 1805, Michigan was constituted a separate Territory, with substantially its present boundaries. The ordinances of 1787 and 1789 were adopted as its charter, and Detroit was made its seat of government.

From 1805 to 1823 the Territorial government was administered by the Governor and three Judges.

On the 3d of March, 1823, Congress vested the legislative power in the Governor and Council, composed of nine persons selected by the President and confirmed by the Senate out of eighteen elected by the people of the Territory.

In 1835 a Constitution was adopted and State Government elected, which was accepted by Congress June 15, 1836, and Michigan was admitted into the Union as a State upon condition of acceding to the boundary claims of Ohio, concerning which an embittered controversy had arisen. This condition, which was at first rejected by a convention called by the Legislature to consider it, was finally accepted by a second

convention, December 15, 1836, and Michigan was formally declared a State by act of Congress, January 26, 1837.

By an act of the Legislature approved March 16, 1847, the seat of government of the State was removed from Detroit to Lansing.

June 3, 1850, a Constitutional Convention met at Lansing and adopted a new Constitution which was ratified by the people in November following, and has since continued in force, notwithstanding repeated attempts have been made to secure its revision.

"Then blessings on thee, Michigan.

We wave thy banners gay,

And wish thee many glad returns

Of this thy natal day;

We'll govern thee in coming years

By laws both true and just,

And "onward" shall our watchword be,

In God our hope and trust."

Semi-Centennial Song.

"RELIGION, MORALITY, AND KNOWLEDGE BEING NECESSARY TO
GOOD GOVERNMENT AND THE HAPPINESS OF MANKIND, SCHOOLS
AND THE MEANS OF EDUCATION SHALL FOREVER BE ENCOURAGED."
—*Ordinance of 1787, creating the Northwest Territory.*

CONSTITUTION OF THE STATE OF MICHIGAN,

1850.*

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of Constitution.*

*The People of the State of Michigan do ordain this Con-
stitution:*

ARTICLE I.

BOUNDARIES.

The State of Michigan consists of and has jurisdiction
over the territory embraced within the following boundaries,

* NOTE.—The first Constitution of the State was ratified by the people on
the first Monday in October, 1835; that Constitution remained in force from
the date of admission, January 26, 1837, to January 1, 1851, when the present
Constitution went into effect.

to-wit: Commencing at a point on the eastern boundary line of the State of Indiana, where a direct line drawn from the southern extremity of Lake Michigan to the most northerly cape of the Maumee bay, shall intersect the same—said point being the northwest corner of the State of Ohio, as established by act of Congress entitled “An act to establish the northern boundary line of the State of Ohio, and to provide for the admission of the State of Michigan into the Union upon the conditions therein expressed,” approved June fifteenth, one thousand eight hundred and thirty-six; thence with the said boundary line of the State of Ohio till it intersects the boundary line between the United States and Canada in Lake Erie; thence with said boundary line between the United States and Canada through the Detroit river, Lake Huron and Lake Superior, to a point where the said line last touches Lake Superior; thence in a direct line through Lake Superior to the mouth of the Montreal river; thence through the middle of the main channel of the said river Montreal to the head waters thereof; thence in a direct line to the center of the channel between Middle and South Islands, in the Lake of the Desert; thence in a direct line to the southern shore of Lake Brulé; thence along said southern shore, and down the river Brulé to the main channel of the Menominee river; thence down the center of the main channel of the same to the center of the most usual ship channel of the Green bay of Lake Michigan; thence through the center of the most usual ship channel of the said bay to the middle of Lake Michigan; thence through the middle of Lake Michigan to the northern boundary of the State of Indiana, as that line was established by the act of Congress of the nineteenth of April, eighteen hundred and

CIVIL GOVERNMENT.

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sixteen; thence due east with the north boundary line of the said State of Indiana to the northeast corner thereof; and thence south with the eastern boundary line of Indiana to the place of beginning.*

ARTICLE II.

SEAT OF GOVERNMENT.

SECTION 1. The Seat of Government shall be at Lansing, where it is now established.†

ARTICLE III.

DIVISION OF THE POWERS OF GOVERNMENT.

SECTION 1. The powers of Government are divided into three departments: The Legislative, Executive, and Judicial.

SEC. 2. No person belonging to one department shall exercise the powers properly belonging to another, except in the cases expressly provided in this Constitution.

ARTICLE IV.

LEGISLATIVE DEPARTMENT.

SECTION 1. The Legislative power is vested in a Senate and House of Representatives.

*In accordance with the act which set the Territory of Michigan off from Indiana, June 30, 1805, the southern boundary of this State was to be a line extending due east from the southerly bend or extreme of Lake Michigan, until it intersected Lake Erie. When Indiana was admitted as a State in 1816, the southern boundary of Michigan was moved northward, about nine miles, to give Indiana a lake port on Lake Michigan, and thus Michigan was deprived of thirty townships of her land. The boundary line, however, ran due east from Lake Michigan. When Michigan was admitted, Congress compelled the people of Michigan to make the boundary line between that State and Ohio run from the "southern extremity of Lake Michigan to the most northerly cape on Maumee bay." This was not settled without dispute—see "Toledo War."—Primer of Michigan History, p. 50; Judge Cooley's "Michigan," p. 218.

†The capital of the State was moved from Detroit to Lansing in 1831.

SEC. 2. The Senate shall consist of thirty-two members. Senators shall be elected for two years, and by single districts. Such districts shall be numbered from one to thirty-two, inclusive; each of which shall choose one Senator. No county shall be divided in the formation of Senate districts, except such county shall be equitably entitled to two or more Senators.*

SEC. 3. The House of Representatives shall consist of not less than sixty-four, nor more than one hundred members. Representatives shall be chosen for two years and by single districts. Each Representative district shall contain, as nearly as may be, an equal number of inhabitants, exclusive of persons of Indian descent who are not civilized, or are members of any tribe, and shall consist of convenient and contiguous territory; but no township or city shall be divided in the formation of a Representative district. When any township or city shall contain a population which entitles it to more than one Representative, then such township or city shall elect by general ticket, the number of Representatives to to which it is entitled. Each county hereafter organized, with such territory as may be attached thereto, shall be entitled to a separate Representative, when it has attained a population equal to a moiety of the ratio of representation. In every county entitled to more than one Representative, the board of supervisors shall assemble at such time and place as the Legislature shall prescribe, and divide the same into Representative districts equal to the number of Representatives to which such

* The first three Legislatures of the State, from 1835 to 1838, had but 16 members in the Senate, and the last five Legislatures, under the Constitution of 17, had but 22 members in the Senate. Wayne county will now have four *storial districts*; Kent two and Saginaw two.

county is entitled by law, and shall cause to be filed in the offices of the Secretary of State and clerk of such county, a description of such Representative districts, specifying the number of each district and population thereof, according to the last preceding enumeration.*

† SEC. 4. The Legislature shall provide by law for an enumeration of the inhabitants in the year eighteen hundred and fifty-four, and every ten years thereafter; and at the first session after each enumeration so made, and also at the first session after each enumeration by the authority of the United States, the Legislature shall re-arrange the Senate Districts and apportion anew the Representatives among the counties and districts, according to the number of inhabitants, exclusive of persons of Indian descent who are not civilized, or are members of any tribe. Each apportionment, and the division into Representative districts by any board of supervisors shall remain unaltered until the return of another enumeration.

SEC. 5. Senators and Representative shall be citizens of the United States, and qualified electors ‡ in the respective counties and districts which they represent. A removal from their respective counties or districts shall be deemed a vacation of their office.

* The first three Legislatures of the State had 50 representatives each; the fourth, 53; the fifth and sixth, 52 each; the seventh, eighth, ninth and tenth, 53 each; the twelfth, thirteenth, fourteenth and fifteenth, 66 each; the sixteenth, 68; the seventeenth, 71; and so on increasing until in 1864 the number reached 100, the constitutional limit. The city of Detroit has seven representatives. There are 93 representative districts in the State. The senatorial districts were arranged by the Legislature; the new representative districts by the various boards of supervisors in October, 1881.

† Amendment agreed to by the Legislature of 1869, approved by the people at the general election of 1870. The word *white* was stricken out before *inhabitant*.

‡ For qualifications of electors, see Art. VII. of the Constitution.

SEC. 6. No person holding any office under the United States, or any county office, except notaries public, officers of the militia, and officers elected by townships, shall be eligible to or have a seat in either house of the Legislature; and all votes given for any such person shall be void.

SEC. 7. Senators and Representatives shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest. They shall not be subject to any civil process during the session of the Legislature, or for fifteen days next before the commencement and after the termination of each session. They shall not be questioned in any other place for any speech in either house.

SEC. 8. A majority of each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and compel the attendance of absent members, in such manner and under such penalties as each house may prescribe.

SEC. 9. Each house shall choose its own officers,* determine the rules of its proceedings, and judge of the qualifications, election, and returns of its members; and may with the concurrence of two-thirds of all the members elected, expel a member. No member shall be expelled a second time for the same cause, nor for any cause known to his constituents antecedent to his election. The reason for such expulsion shall be

*The officers of the House of Representatives are: The speaker, or presiding officer, who is chosen from the members elect, and has a vote on all questions; a speaker *pro tempore*; a clerk of the House; a journal clerk; an enrolling clerk; an engrossing clerk; a sergeant-at-arms, and various others. The duties of these officers are the same as corresponding officers in Congress. The officers of the Senate are: President; president *pro tem.*; secretary, clerks, etc., as in the House. The Lieutenant-Governor is president of the Senate, and votes in cases of tie only.

entered upon the journal, with the names of the members voting on the question.*

SEC. 10. Each house shall keep a journal of its proceedings, and publish the same, except such parts as may require secrecy. The yeas and nays of the members of either house, on any question, shall be entered on the journal at the request of one-fifth of the members elected. Any member of either house may dissent from and protest against any act proceeding, or resolution which he may deem injurious to any person or the public, and have the reason of his dissent entered on the journal.

SEC. 11. In all elections by either house, or in joint convention, the votes shall be given *viva voce*. All votes on nominations to the Senate shall be taken by yeas and nays, and published with the journal of its proceedings.

SEC. 12. The doors of each house shall be open, unless the public welfare requires secrecy. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than where the Legislature may then be in session.

SEC. 13. Bills may originate in either house of the Legislature.

SEC. 14. Every bill and concurrent resolution, except of adjournment, passed by the Legislature, shall be presented to the Governor before it becomes a law. If he approve, he shall sign it; but if not, he shall return it with his objections to the house in which it originated, which shall enter the objections

* Thus far but one member has been expelled. The Legislature of 1887 expelled Milo H. Dakin for misdemeanors.

at large upon their journal and reconsider it. On such reconsideration, if two-thirds of the members elected agree to pass the bill, it shall be sent with the objections to the other house by which it shall be reconsidered. If approved by two-thirds of the members elected to that house, it shall become a law. In such case the vote of both houses shall be determined by yeas and nays; and the names of the members voting for and against the bill shall be entered on the journals of each house respectively. If any bill be not returned by the Governor within ten days, Sundays excepted, after it has been presented to him, the same shall become a law, in like manner as if he had signed it unless the Legislature, by their adjournment, prevent its return; in which case it shall not become a law. The Governor, may approve, sign, and file in the office of Secretary of State, within five days after the adjournment of the Legislature, any act passed during the last five days of the session; and the same shall become a law.

SEC. 15. The compensation of the members of the Legislature shall be three dollars per day for actual attendance, and when absent on account of sickness,* but the Legislature may allow extra compensation to the members from the territory of the Upper Peninsula, not exceeding two dollars per day during the session.† When convened in extra session, their compensation shall be three dollars a day for the first twenty days and nothing thereafter; and they shall legislate on no other subjects than those expressly stated in the Governor's procla-

*It is customary for our State to allow legislators pay for Sundays, and for all recesses or intermissions.

† Amendment agreed to by the Legislature of 1859, approved by the people in 1860. The Legislature of 1885 refused to vote this extra compensation.

mation, or submitted to them by special message.* They shall be entitled to ten cents and no more for every mile actually traveled in going to and returning from the place of meeting, on the usually traveled route; and for stationery and newspapers not exceeding five dollars for each member during any session. Each member shall be entitled to one copy of the laws, journals and documents of the Legislature of which he was a member; but shall not receive at the expense of the State, books, newspapers, or other perquisites of office, not expressly authorized by this Constitution.

SEC. 16. The Legislature may provide by law for the payment of postage on all mailable matter received by its members and officers during the sessions of the Legislature, but not on any sent or mailed by them.†

SEC. 17. The President of the Senate and Speaker of the House of Representatives shall be entitled to the same per diem compensation and mileage as members of the Legislature, and no more.

SEC. 18. No person elected a member of the Legislature shall receive any civil appointment within this State, or to the Senate of the United States, from the Governor, the Governor and Senate, from the Legislature, or any other State Author-

* Four extra sessions were held under the old Constitution, and ten under the new, viz.: 1858, '61, '62, '64, '70, '72, '74 and '82 and '92. The 21st and 26th Legislatures held two extra sessions each. The 21st, in '61 and '62, relative to war measures; the 26th, in '72, relative to the impeachment of Chas. A. Edmunds, the State Land Commissioner; the extra session of '82 was called to relieve the sufferers by the forest fires of '81. The twenty-day limit of extra sessions is easily arranged for by having a second extra session called to meet on the day following the adjournment of the first.

† This section is now a dead letter, as all postage is prepaid at the present time.

ity, during the term for which he is elected.* All such appointments, and all votes given for any person so elected for any such office or appointment, shall be void. No member of the Legislature shall be interested, directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the time for which he is elected, nor for one year thereafter.

SEC. 19. Every bill and joint resolution shall be read three times in each house, before the final passage thereof.† No bill or joint resolution shall become a law without the concurrence of a majority of all the members elected to each house. On the final passage of all bills, the vote shall be by yeas and nays, and entered on the journal.

SEC. 20. No law shall embrace more than one object, which shall be expressed in its title. No public act shall take effect or be in force until the expiration of ninety days from the end of the session at which the same is passed, unless the Legislature shall otherwise direct by a two-thirds vote of the members elected to each house.

SEC. 21. The Legislature shall not grant nor authorize extra compensation to any public officer, agent or contractor, after the service has been rendered or the contract entered into.

SEC. 22. The Legislature shall provide by law that the furnishing of fuel and stationery for the use of the State, the printing and binding the laws and journals, all blanks, paper and printing for the executive departments, and all other printing ordered by the Legislature, shall be let by contract to

* A Supreme Court decision of 1891 holds that a member cannot receive such appointment during the full two years for which he was chosen, even though he resigns his office as legislator.

† The first and second readings of the bills are usually by title only.

the lowest bidder or bidders, who shall give adequate and satisfactory security for the performance thereof. The Legislature shall prescribe by law the manner in which the State printing shall be executed, and the accounts rendered therefor; and shall prohibit all charges for constructive labor. They shall not rescind nor alter such contract, nor release the person or persons taking the same, or his or their sureties, from the performance of any of the conditions of the contract. No member of the Legislature, nor officer of the State shall be interested, directly or indirectly, in any such contract.

SEC. 23. The Legislature shall not authorize, by private or special law, the sale or conveyance of any real estate belonging to any person; nor vacate nor alter any road laid out by commissioners of highways, or any street in any city or village, or in any recorded town plat.

SEC. 24. The Legislature may authorize the employment of a chaplain for the State Prison; but no money shall be appropriated for the payment of any religious services in either house of the Legislature.

SEC. 25. No law shall be revised, altered, or amended by reference to its title only; but the act revised, and the section or sections of the act altered or amended shall be reënacted and published at length.

SEC. 26. Divorces shall not be granted by the Legislature.

SEC. 27. The Legislature shall not authorize any lottery, nor permit the sale of lottery tickets.

SEC. 28. No new bill shall be introduced into either house of the Legislature after the first fifty days of the session shall have expired.*

* Amendment agreed to by the Legislature of 1859, and approved by the people in 1860. The Constitution of 1837 did not contain this limitation.

SEC. 29. In case of a contested election, the person only shall receive from the State per diem compensation and mileage who is declared to be entitled to a seat by the house in which the contest takes place.

SEC. 30. No collector, holder or disbursor of public moneys shall have a seat in the Legislature, or be eligible to any office of trust or profit under this State, until he shall have accounted for and paid over, as provided by law, all sums for which he may be liable.

SEC. 31. The Legislature shall not audit nor allow any private claim or account.

SEC. 32. The Legislature on the day of final adjournment, shall adjourn at twelve o'clock noon.

SEC. 33. The Legislature shall meet at the seat of government on the first Wednesday in January, in the year one thousand eight hundred and sixty-one, and on the first Wednesday of January in every second year thereafter, and at no other place or time, unless as provided in the Constitution of the State, and shall adjourn without day at such time as the Legislature shall fix by concurrent resolution.*

SEC. 34. The election of Senators and Representatives pursuant to the provisions of this Constitution, shall be held on the Tuesday succeeding the first Monday of November, in the year one thousand eight hundred and fifty-two, and on the Tuesday succeeding the first Monday in November of every second year thereafter.

SEC. 35. The Legislature shall not establish a State paper. Every newspaper in the State which shall publish all the gen-

* As amended by Joint Resolution, No. 18, Laws of 1859, p. 1105. Ratified election of 1860. Under the Constitution of 1837 the Legislature met the first Monday in January of every year.

eral laws of any session within forty days of their passage shall be entitled to receive a sum not exceeding fifteen dollars therefor.

SEC. 36. The Legislature shall provide for the speedy publication of all the statute laws of a public nature, and of such judicial decisions as it may deem expedient. All laws and judicial decision shall be free for publication by any person.

SEC. 37. The Legislature may declare the cases in which any office shall be deemed vacant, and also the manner of filling the vacancy where no provision is made for that purpose in this Constitution.

SEC. 38. The Legislature may confer upon organized townships, incorporated cities and villages, and upon the Boards of Supervisors of the several counties such powers of a local, legislative and administrative character, as they may deem proper.

SEC. 39. The Legislature shall pass no law to prevent any body from worshiping Almighty God according to the dictates of his own conscience, or to compel any person to attend, erect, or support any place of religious worship, or to pay tithes, taxes, or other rates for the support of any minister of the gospel or teacher of religion.

SEC. 40. No money shall be appropriated or drawn from the treasury for the benefit of any religious sect or society, theological or religious seminary, nor shall property belonging to the State be appropriated for any such purpose.

SEC. 41. The Legislature shall not diminish or enlarge the civil or political rights, privileges and capacities of any person on account of his opinion or belief concerning matters of religion.

SEC. 42. No law shall ever be passed to restrain or abridge the liberty of speech or of the press; but every person may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of such right.

SEC. 43. The Legislature shall pass no bill of attainder, *ex post facto* law, or law impairing the obligation of contracts.

SEC. 44. The privilege of the writ of *habeas corpus* remains, and shall not be suspended by the Legislature, except in case of rebellion or invasion the public safety require it.

SEC. 45. The assent of two-thirds of the members elected to each house of the Legislature shall be requisite to every bill appropriating the public money or property for local or private purposes.

SEC. 46. The Legislature may authorize a trial by a jury of a less number than twelve men.*

[†SEC. 47. The Legislature shall not pass any act authorizing the grant of license for the sale of ardent spirits or other intoxicating liquors.]

SEC. 48. The style of the laws shall be, "The People of the State of Michigan enact."

ARTICLE V.

EXECUTIVE DEPARTMENT.

SECTION 1. The executive power is vested in a Governor, who shall hold his office for two years. A Lieutenant Governor shall be chosen for the same term.

*Justice court juries consist of six men. In case of death or sickness of jurors, cases may be tried even by nine in a jury of twelve, or four in a jury of six. This does not apply to criminal cases.

† By amendment proposed by the Legislature of 1875, and approved by the people at the general election of 1876, Section 47, Article IV., was stricken out. It prohibited the license of the sale of intoxicating liquors. In 1887 the people voted not to re-insert a prohibitory clause.

SEC. 2. No person shall be eligible to the office of Governor or Lieutenant Governor who has not been five years a citizen of the United States, and a resident of this State two years next preceding his election; nor shall any person be eligible to either office who has not attained the age of thirty years.*

SEC. 3. The Governor and Lieutenant Governor shall be elected at the times and places of choosing the members of the Legislature. The person having the highest number of votes for Governor or Lieutenant Governor shall be elected. In case two or more persons shall have an equal and the highest number of votes for Governor or Lieutenant Governor, the Legislature shall, by joint vote, choose one of such persons.

SEC. 4. The Governor shall be Commander-in-chief of the military and naval forces, and may call out such forces to execute the laws, to suppress insurrection and to repel invasion.

SEC. 5. He shall transact all necessary business with officers of government, and may require information in writing from the officers of the executive department, upon any subject relating to the duties of their respective offices.

SEC. 6. He shall take care that the laws be faithfully executed.

SEC. 7. He may convene the Legislature on extraordinary occasions.

SEC. 8. He shall give to the Legislature, and, at the close of his official term, to the next Legislature, information by message of the condition of the State, and recommend such measures to them as he shall deem expedient.

* Under the old Constitution the age was not specified, and the first Governor of the State was scarcely 25 years of age when elected. No person not a native-born citizen has filled the office thus far.

SEC. 9. He may convene the Legislature at some other place when the seat of government becomes dangerous from disease or a common enemy.

SEC. 10. He shall issue writs of election to fill such vacancies as occur in the Senate or House of Representatives.

SEC. 11. He may grant reprieves, commutations, and pardons after convictions, for all offenses except treason and cases of impeachment, upon such conditions, and with such restrictions and limitations, as he may think proper, subject to regulations provided by law relative to the manner of applying for pardons.* Upon conviction for treason, he may suspend the execution of the sentence until the case shall be reported to the Legislature at its next session, when the Legislature shall either pardon or commute the sentence, direct the execution of the sentence, or grant a further reprieve. He shall communicate to the Legislature at each session information of each case of reprieve, commutation, or pardon granted, and the reason therefor.

SEC. 12. In case of the impeachment of the Governor, his removal from office, death, inability, resignation, or absence from the State, the powers and duties of the office shall devolve upon the Lieutenant Governor, for the residue of the term, or until the disability ceases. When the Governor shall be out of the State in time of war, at the head of a military force thereof, he shall continue Commander-in-chief of all the military forces of the State.

SEC. 13. During a vacancy in the office of Governor, if the Lieutenant Governor die, resign, or be impeached, displaced, be incapable of performing the duties of the office, or absent

*Under act of 1891 the central board of inspectors acts as advisory board of pardons. See "Boards," p. 70.

from the State, the President *pro tempore* of the Senate shall act as Governor until the vacancy be filled, or the disability cease.

SEC. 14. The Lieutenant Governor shall, by virtue of his office, be President of the Senate. In committee of the whole he may debate all questions; and when there is an equal division he shall give the casting vote.

SEC. 15. No member of Congress nor any person holding office under the United States or this State shall execute the office of Governor.*

SEC. 16. No person elected Governor or Lieutenant Governor shall be eligible to any office or appointment from the Legislature, or either house thereof, during the time for which he was elected. All votes for either of them, for any such office, shall be void.

SEC. 17. The Lieutenant Governor and president of the Senate *pro tempore*, when performing the duties of Governor, shall receive the same compensation as the Governor.

SEC. 18. All official acts of the Governor, his approval of the laws excepted, shall be authenticated by the great seal of the State, which shall be kept by the Secretary of State.

SEC. 19. All commissions issued to persons holding office under the provisions of this constitution shall be in the name and by the authority of the people of the State of Michigan, sealed with the great seal of the State, signed by the Governor, and countersigned by the Secretary of State.†

*See Legislative Journal for 1887, p. 51.

†For the list of assistant executive officers of the State, see Art. VIII., and for salaries see Art. IX. For duties of officers, see Chap. II. It may be best for the student to complete the subject of the Executive Department before taking up the study of Art. VI. See Synopses for Review, pp. 99-102.

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power is vested in one Supreme Court, in circuit courts, in probate courts, and in justices of the peace. Municipal courts of criminal and civil jurisdiction may be established by the Legislature in cities.

SEC. 2. For the term of six years and thereafter until the Legislature otherwise provide, the judges of the several circuit courts shall be Judges of the Supreme Court, four of whom shall constitute a quorum. A concurrence of three shall be necessary to a final decision. After six years the Legislature may provide by law for the organization of a Supreme Court, with the jurisdiction and powers prescribed in this Constitution, to consist of one Chief Justice and three Associate Justices, to be chosen by the electors of the State. Such Supreme Court, when so organized, shall not be changed or discontinued by the Legislature for eight years thereafter. The judges thereof, shall be so classified that but one of them shall go out of office at the same time. The term of office shall be eight years.*

SEC. 3. The Supreme Court shall have a general superintending control over all inferior courts, and shall have power to issue writs of error, *habeas corpus*, *mandamus*, *quo warranto*, *procedendo*, and other original and remedial writs, and to hear and determine the same. In all other cases it shall have appellate jurisdiction only.†

* The court thus provided for went into operation January 1, 1858. The judge whose term of office first expires, is Chief Justice during the last two years of his term. The Legislature of 1887 passed an act increasing the number of justices to five, with a term of ten years. The fifth judge was elected at the April election, 1887.

† For definitions of the foregoing law terms consult an unabridged dictionary.

SEC. 4. Four terms of the Supreme Court shall be held annually at such times and places as may be designated by law.*

SEC. 5. The Supreme Court shall by general rules establish, modify and amend the practice in such court and in the circuit courts and simplify the same. The legislature shall, as far as practicable, abolish distinctions between law and equity proceedings. The office of master in chancery is prohibited.

SEC. 6. The State shall be divided into judicial circuits, in each of which the electors thereof shall elect one circuit judge who shall hold his office for the term of six years, and until his successor is elected and qualified. The Legislature may provide for the election of more than one circuit judge in the judicial circuit in which the city of Detroit is or may be situated, and in the judicial circuit in which the county of Saginaw is or may be situated, and the judicial circuit in which the county of Kent is or may be situated, and the circuit judge or judges of said circuits, in addition to the salary provided by this Constitution, shall receive from their respective counties such additional salary as may from time to time be fixed and determined by the board of supervisors of said county. And the board of supervisors of each county in the Upper Peninsula is hereby authorized and empowered to give and pay to the circuit judge of the judicial circuit in which such county is attached such additional salary or compensation as may from time to time be fixed and determined by such board of supervisors.†

*The terms are now held at Lansing, beginning on the Tuesdays after the first Mondays in January, April, June and October.

† Amendments proposed by the legislatures of 1881, 1887, and 1889, and ratified by the people of 1881, 1887, and 1889. There are at this time (1891), thirty-three circuit courts in the State. Detroit has four circuit judges. The Legislature of 1879 gave Kent and Saginaw counties each a second circuit judge.

SEC. 7. The legislature may alter the limit of circuits, or increase the number of the same. No alteration or increase shall have the effect to remove a judge from office. In every additional circuit established, the judge shall be elected by the electors of such circuit, and his term of office shall continue as provided in this Constitution for judges of the circuit court.

SEC. 8. The circuit courts shall have original jurisdiction in all matters, civil and criminal, not excepted in this Constitution, and not prohibited by law; and appellate jurisdiction from all inferior courts and tribunals, and a supervisory control of the same. They shall also have power to issue writs of *habeas corpus*, *mandamus*, injunction, *quo warranto*, *certiorari*, and other writs necessary to carry into effect their orders, judgments and decrees, and give them a general control over inferior courts and tribunals within their respective jurisdictions.*

SEC. 9. Each of the judges of the circuit courts shall receive a salary, payable quarterly.† They shall be ineligible to any other than a judicial office during the term for which they are elected, and for one year thereafter. All votes for any person elected such judge for any office other than judicial, given either by the Legislature or the people, shall be void.

SEC. 10. The Supreme Court may appoint a reporter of its decisions.‡ The decisions of the Supreme Court shall be in

*The circuit court has jurisdiction in all civil cases where the amount in controversy exceeds \$100, and general jurisdiction in criminal cases.

†Two thousand five hundred dollars per year.

‡The officers of the Supreme Court are chosen by that body, and consist of a clerk, crier, reporter and attorney. The annual salary of each Supreme Judge is \$5,000.

writing, and signed by the Judges concurring therein. Any Judge dissenting therefrom, shall give the reason of such dissent in writing, under his signature. All such opinions shall be filed in the office of the clerk of the Supreme Court. The judges of the circuit court, within their respective jurisdictions, may fill vacancies in the office of county clerk and of prosecuting attorney; but no Judge of the Supreme Court, or circuit court, shall exercise any other power of appointment to public office.

SEC. 11. A circuit court shall be held at least twice in each year in every county organized for judicial purposes, and four times in each year in counties containing ten thousand inhabitants. Judges of the circuit court may hold courts for each other, and shall do so when required by law.*

†SEC. 12. The clerk of each county organized for judicial purposes shall be the clerk of the circuit court of such county, The Supreme Court shall have power to appoint a clerk for such Supreme Court.

SEC. 13. In each of the counties organized for judicial purposes, there shall be a court of probate. The judge of such court shall be elected by the electors of the county in which he resides, and shall hold his office for four years, and until his successor is elected and qualified. The jurisdiction, powers, and duties of such court shall be prescribed by law.‡

SEC. 14. When a vacancy occurs in the office of Judge of the Supreme, circuit, or probate court, it shall be filled by

*Each judge appoints, two years in advance, the time for holding court in his circuit.

†As amended by Joint Resolution No. 5, Laws of 1881, p. 408. Ratified, election April, 1881. See proposed amendment Joint Resolution No. 30, Laws of 1877, p. 289.

‡Probate comes from *probare*, to prove, and the judges of probate have the power to take the probate of wills, grant administration of estates, and appoint

appointment of the Governor, which shall continue until a successor is elected and qualified. When elected, such successor shall hold his office the residue of the unexpired term.

SEC. 15. The Supreme Court, the circuit, and probate courts of each county shall be courts of records, and shall have a common seal.

SEC. 16. The Legislature may provide by law for the election of one or more persons in each organized county, who may be vested with judicial powers, not exceeding those of a judge of the circuit court at chambers.*

SEC. 17. There shall be not exceeding four justices of the peace in each organized township. They shall be elected by the electors of the township, and shall hold their offices for four years, and until their successors are elected and qualified. At the first election in any township, they shall be classified as shall be prescribed by law. A justice elected to fill a vacancy shall hold his office for the residue of the unexpired term. The Legislature may increase the number of justices in cities.†

SEC. 18. In civil cases, justices of the peace shall have exclusive jurisdiction to the amount of one hundred dollars,

guardians to minors and other persons. Appeals from this court are made to the circuit court. The probate judge is a State officer, and his salary, though paid by the county, is fixed by the State. For those counties having a population not less than 70,000, \$2,000. In counties having a population less than 70,000, and more than 40,000 inhabitants, \$1,500; 30,000 to 40,000, \$1,300; 20,000 to 30,000, \$1,100; 15,000 to 20,000, \$900; 10,000 to 15,000, \$750, etc. Wayne county judge of probate receives \$3,500.

* This provides for Circuit Court Commissioners. They are the assistants of the court, having the same powers as the judge would have when out of court, viz.: taking and discharging bail in certain cases, taking testimony, etc. Stated fees are allowed them for services. Attorneys only are eligible to the office. In counties of 20,000 inhabitants or more, two commissioners are chosen. Vacancies in this office are filled by the Governor.

† At the first election in a township, the four persons who have been elected as justices, are classified by drawing lots—pieces of paper on which are written one, two, three, four, are placed in a box and each justice draws from it—the length of term to be served depending upon the lot drawn. Full term justices go into office on the Fourth of July next following the township election.

and concurrent jurisdiction to the amount of three hundred dollars, which may be increased to five hundred dollars, with such exceptions and restrictions as may be provided by law. They shall also have such criminal jurisdiction, and perform such duties, as shall be prescribed by the Legislature.*

SEC. 19. Judges of the Supreme Court, circuit judges, and justices of the peace shall be conservators of the peace within their respective jurisdictions.

SEC. 20. The first election of judges of the circuit courts shall be held on the first Monday in April one thousand eight hundred and fifty-one, and every sixth year thereafter. Whenever an additional circuit is created, provision shall be made to hold the subsequent election of such additional judge at the regular elections herein provided.

SEC. 21. The first election of Judges of the probate courts shall be held on the Tuesday succeeding the first Monday of November, one thousand eight hundred and fifty-two, and every fourth year thereafter.

SEC. 22. Whenever a judge shall remove beyond the limits of the jurisdiction for which he was elected, or a justice of the peace from the township in which he was elected, or by a change in the boundaries of such township shall be placed without the same, they shall be deemed to have vacated their respective offices.

SEC. 23. The Legislature may establish courts of conciliation with such powers and duties as shall be prescribed by law.

* Justices issue warrants and orders, administer oaths, solemnize marriages and try criminal cases of minor importance, such as larceny when the sum stolen does not exceed \$25, assault and battery, etc. A justice may try offenses committed in neighboring townships of the same county. He is paid by fees.

SEC. 24. Any suitor in any court of this State shall have the right to prosecute or defend his suit, either in his own proper person, or by an attorney or agent of his choice.

SEC. 25. In all prosecutions for libels, the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted. The jury shall have the right to determine the law and the fact.

SEC. 26. The person, houses, papers, and possessions of every person shall be secure from unreasonable searches and seizures. No warrant to search any place or to seize any person or things shall issue without describing them, nor without probable cause, supported by oath or affirmation.

SEC. 27. The right of trial by jury shall remain, but shall be deemed to be waived in all civil cases, unless demanded by one of the parties in such manner as shall be prescribed by law.

SEC. 28. In every criminal prosecution the accused shall have the right to a speedy and public trial by an impartial jury, which may consist of less than twelve men in all courts not of record; to be informed of the nature of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and have the assistance of counsel for his defense.

SEC. 29. No person, after acquittal upon the merits, shall be tried for the same offense. All persons shall, upon conviction, be bailable by sufficient sureties, except for murder and treason, when the proof is evident or the presumption great.

* For further description of juries, see Chap. VII., p. 81.

SEC. 30. Treason against the State shall consist only in levying war against, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless upon the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 31. Excessive bail shall not be required; excessive fines shall not be imposed; cruel or unusual punishment shall not be inflicted; nor shall witnesses be unreasonably detained.

SEC. 32. No person shall be compelled in any criminal case, to be a witness against himself, nor to be deprived of life, liberty, or property, without due process of law.

SEC. 33. No person shall be imprisoned for debt rising out of or founded on a contract, expressed or implied, except in cases of fraud or breach of trust, or of moneys collected by public officers, or in any professional employment. No person shall be imprisoned for a militia fine in time of peace.

SEC. 34. No person shall be rendered incompetent to be a witness on account of his opinion on matters of religious belief.

SEC. 35. The style of all process shall be: "In the name of the People of the State of Michigan."

ARTICLE VII.

ELECTIONS.

*SECTION 1. In all elections, every male citizen, every male inhabitant residing in the State on the twenty-fourth day of June, one thousand eight hundred and thirty-five; every male inhabitant residing in the State on the first day of January,

*As amended by Joint Resolution No. 26, Laws of 1865, p. 794; ratified election of 1866; and also amended by Joint Resolution No. 42, Laws of 1869, p. 425, ratified election of 1870.

one thousand eight hundred and fifty, who has declared his intention to become a citizen of the United States, pursuant to the laws thereof, six months preceding an election, or who has resided in this State two years and six months, and declared his intention* as aforesaid, and every civilized male inhabitant of Indian decent, a native of the United States, and not a member of any tribe, shall be an elector and entitled to vote; but no citizen or inhabitant shall be an elector, or entitled to vote at any election, unless he shall be above the age of twenty-one years, and has resided in this State three months, and in the township or ward in which he offers to vote, ten days next preceding such election: *Provided*, That in time of war, insurrection, or rebellion, no qualified elector in the actual military service of the United States, or of this State, in the army or navy thereof, shall be deprived of his vote by reason of his absence from the township, ward, or State in which he resides; and the Legislature shall have the power, and shall provide the manner in which, and the time and place at which, such absent electors may vote, and for the canvass and return of their votes to the township or ward election district in which they respectively reside, or otherwise.

SEC. 2. All votes shall be given by ballot, except for such township officers as may be authorized by law to be otherwise chosen.†

SEC. 3. Every elector, in all cases, except treason, felony, or breach of the peace, shall be privileged from arrest during his

* The right of suffrage is thus granted to persons before they have become citizens of the United States. For qualifications of voters at school meetings, see Chap. VI., p. 78.

† Overseers of highways, or pathmasters, are chosen by ye and nay vote, usually at the noon intermission on town meeting day.

attendance at election, and in going to and returning from the same.

SEC. 4. No elector shall be obliged to do military duty on the day of election except in time of war or public danger; or attend court as a suitor or witness.

SEC. 5. No elector shall be deemed to have gained or lost a residence, by reason of his being employed in the service of the United States, or of this State; nor while engaged in the navigation of the waters of this State or of the United States, or of the high seas; nor while a student of any seminary of learning; nor while kept at any almshouse or other asylum at public expense; nor while confined in any public prison.

SEC. 6. Laws may be passed to preserve the purity of elections, and guard against abuses of the elective franchise.*

SEC. 7. No soldier, seaman, nor marine in the army or navy of the United States, shall be deemed a resident of this State, in consequence of being stationed in any military or naval place within the same.

SEC. 8. Any inhabitant who may hereafter be engaged in a duel, either as principal or accessory before the fact, shall be disqualified from holding any office under the Constitution and laws of this State, and shall not be permitted to vote at any election.

ARTICLE VIII.

STATE OFFICERS.

SECTION 1. There shall be elected at each general biennial election, a Secretary of State, a Superintendent of Public

*For further explanations of elections, see Chap. VII., p. 82.

Instruction, a State Treasurer, a Commissioner of the Land office, an Auditor General, and an Attorney General for the term of two years. They shall keep their offices at the seat of government, and perform such duties as may be prescribed by law.*

SEC. 2. Their term of office shall commence on the first day of January, one thousand eight hundred and fifty-three, and of every second year thereafter.

SEC. 3. Whenever a vacancy shall occur in any of the State offices, the Governor shall fill the same by appointment, by and with the advice and consent of the Senate if in session.

SEC. 4. The Secretary of State, State Treasurer and Commissioner of the State Land Office shall constitute a Board of State Auditors, to examine and adjust all claims against the State, not otherwise provided for by general law. They shall constitute a Board of State Canvassers, to determine the result of all elections for Governor, Lieutenant Governor, and State officers, and of such other officers as shall by law be referred to them.

SEC. 5. In case two or more persons have an equal and the highest number of votes for any office, as canvassed by the Board of State Canvassers, the Legislature in joint convention shall choose one of said persons to fill such office. When the determination of the Board of State Canvassers is contested, the Legislature in joint convention shall decide which person is elected.

*Member of State Board of Education is elected at this election; see Art. XIII., Sec. 9 For duties of these officers, see Chap. II., p. 67.

ARTICLE IX.

SALARIES.

*SECTION 1. The Governor shall receive an annual salary of four thousand dollars†; the judges of the circuit court shall each receive an annual salary of two thousand five hundred dollars; the State Treasurer shall receive an annual salary of one thousand dollars; the Superintendent of Public Instruction shall receive an annual salary of one thousand dollars; the Secretary of State shall receive an annual salary of eight hundred dollars; the Commissioner of the Land Office shall receive an annual salary of eight hundred dollars; the Attorney General shall receive an annual salary of twenty-five hundred dollars.‡ They shall receive no fees or perquisites whatever for the performance of any duties connected with their office. It shall not be competent for the Legislature to increase the salaries herein provided.

ARTICLE X.

COUNTIES.

§SECTION 1. Each organized county shall be a body corporate, with such powers and immunities as shall be established

*As amended by Joint Resolution No. 28, 1881, p. 422. Ratified at election 1882. In amending this so as to give the circuit judges \$2,500, the office of Auditor General was accidentally omitted. The Legislature, therefore, fixed his salary at \$2,000 per year. For salaries of deputies and subordinates, see Chap. VIII, p. 84.

†By amendment adopted April 1, 1889, the Governor's salary was increased from \$1,000 to \$4,000 per annum.

‡By amendment adopted April 6, 1891, the Attorney General's salary was increased from \$2,000 to \$2,500 per annum.

§The state is divided into counties for local self-government and for the general administration of the laws. There are now 85 counties in Michigan, all of which are or have been organized. Isle Royal has now few inhabitants and her county affairs are associated with Keweenaw. In England the word shire is equivalent to the word county; in Prussia, province; in France, department.

by law. All suits and proceedings by or against a county shall be in the name thereof.

SEC. 2. No organized county shall ever be reduced by the organization of new counties to less than sixteen townships, as surveyed by the United States, unless in pursuance of law a majority of electors residing in each county to be affected thereby shall so decide. The Legislature may organize any city into a separate county when it has attained a population of twenty thousand inhabitants, without reference to geographical extent, when the majority of the electors of a county in which such city may be situated, voting thereon, shall be in favor of a separate organization.

SEC. 3. In each organized county there shall be a sheriff, a county clerk, a county treasurer, a register of deeds, and a prosecuting attorney, chosen by the electors thereof, once in two years, and as often as vacancies shall happen, whose duties and powers shall be prescribed by law. The board of supervisors in any county may unite the offices of county clerk and register of deeds in one office, or disconnect the same.*

SEC. 4. The sheriff, county clerk, county treasurer, judge of probate, and register of deeds shall hold their office at the county seat.

SEC. 5. The sheriff shall hold no other office, and shall be incapable of holding the office of sheriff longer than four in any period of six years. He may be required by law to renew his security from time to time, and in default of giving such security his office shall be deemed vacant. The county shall never be responsible for his acts.

* For other county officers and their duties, see Chap III., p. 71.

SEC. 6. A board of supervisors, consisting of one from each organized township, shall be established in each county, with such powers as shall be prescribed by law.*

SEC. 7. Cities shall have such representation in the board of supervisors of the counties in which they are situated, as the legislature may direct.†

SEC. 8. No county seat once established shall be removed until the place to which it is proposed to be removed shall be designated by two-thirds of the board of supervisors of the county, and a majority of the electors voting thereon shall have voted in favor of the proposed location, in such manner as shall be prescribed by law.

SEC. 9. The board of supervisors of any county may borrow or raise by tax one thousand dollars, for constructing or repairing public buildings, highways, or bridges; but no greater sum shall be borrowed or raised by tax for such purpose in any one year unless authorized by a majority of the electors of such county voting thereon.

SEC. 10. The board of supervisors, or in the county of Wayne the board of county auditors, shall have the exclusive power to prescribe and fix the compensation for all

*This board has both legislative and executive power. It must meet annually on the second Monday in October, at the county seat. It may, and in many counties usually does, meet in special sessions one or more times each year. A majority of the board is a quorum. They choose one of their number chairman. Each member receives pay at the rate of three dollars per day for the first twelve days only of any continuous, regular session, six days for any adjourned session, and three days for any special session, of which there can be but two each year with pay. They receive six cents per mile for distance necessarily traveled in going to or returning from the sessions.

† Each ward of a city elects a supervisor or alderman, who is usually a member of the board of supervisors.

services rendered for, and to adjust all claims against, their respective counties, and the sum so fixed or defined shall be subject to no appeal.*

SEC. 11. The board of supervisors of each organized county may provide for laying out highways, constructing bridges, and organizing townships, under such restrictions and limitations as shall be prescribed by law.

ARTICLE XI.

TOWNSHIPS.

†SECTION 1. There shall be elected annually on the first Monday of April, in each organized township, one supervisor, one township clerk, who shall be *ex officio* school inspector, one commissioner of highways, one township treasurer, one school inspector, not exceeding four constables, and one overseer of highways for each highway district, whose powers and duties shall be prescribed by law.‡

* The board is, of course, governed by the statutes in all cases where the compensation for services is fixed by law.

† The township is the smallest political division of the State. Under act of Congress of May 13, 1793, the public lands of the United States are surveyed into townships, tracts six miles square. These are subdivided into sections, quartersections, and lots containing forty acres each. For duties of officers, see Chap. IV., p. 74.

‡ The Legislature of 1889 provided for the election annually of a member of the Board of Review. For duties, etc., see Chap. IV. p. 74.

SEC. 2. Each organized township shall be a body corporate, with such powers and duties as shall be prescribed by law. All suits and proceedings by or against a township shall be in the name thereof.

TOWNSHIP.

6	5	4	3	2	Sec. 1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

SECTION.

N. W. $\frac{1}{4}$		N. E. $\frac{1}{4}$	
N. W. $\frac{1}{4}$ OF S. W. $\frac{1}{4}$	N. E. $\frac{1}{4}$ OF S. W. $\frac{1}{4}$	S. E. $\frac{1}{4}$	
S. W. $\frac{1}{4}$ OF S. W. $\frac{1}{4}$	S. E. $\frac{1}{4}$ OF S. W. $\frac{1}{4}$		

ARTICLE XII.

IMPEACHMENTS AND REMOVALS.

SECTION 1. The House of Representatives shall have the sole power of impeaching civil officers for corrupt conduct in office, or for crimes or misdemeanors; but a majority of the members elected shall be necessary to direct an impeachment.

SEC. 2. Every impeachment shall be tried by the Senate. When the Governor or Lieutenant Governor is tried, the Chief Justice of the Supreme Court shall preside. When an impeachment is directed, the Senate shall take an oath or affirmation truly and impartially to try and determine the same according to the evidence. No person shall be convicted without the concurrence of two-thirds of the members elected. Judgment in case of impeachment shall not extend further than removal from office; but the party convicted shall be liable to punishment according to law.

SEC. 3. When an impeachment is directed, the House of Representatives shall elect from their own body three members, whose duty it shall be to prosecute such impeachment. No impeachment shall be tried until the final adjournment of the Legislature, when the Senate shall proceed to try the same.

SEC. 4. No judicial officer shall exercise his office after an impeachment is directed, until he is acquitted.

SEC. 5. The Governor may make a provisional appointment, to fill a vacancy occasioned by the suspension of an officer,

until he shall be acquitted, or until after the election and qualification of a successor.

SEC. 6. For reasonable cause, which shall not be sufficient ground for the impeachment of a judge, the Government shall remove him on a concurrent resolution of two-thirds of the members elected to each House of the Legislature; but the cause for which such removal is required shall be stated at length in such resolution.

SEC. 7. The Legislature shall provide by law for the removal of any officer elected by a county, township, or school district, in such manner and for such cause as to them shall seem just and proper.*

†SEC. 8. The Governor shall have power, and it shall be his duty, except at such time as the Legislature may be in session, to examine into the condition and administration of any public office, and the acts of any public officer, elective or appointed, to remove from office for gross neglect of duty, or for corrupt conduct in office, or any other misfeasance or malfeasance therein, either of the following State officers, to-wit: The Attorney General, State Treasurer, Commissioner of the Land Office, Secretary of State, Auditor General, Superintendent of Public Instruction, or members of the State Board of Education, or any other officer of the State except legislative and judicial, elective or appointed, and to appoint a successor

*The Governor has the power to remove county, township, or village officers; the township board has the right to remove district officers.

†As amended by Joint Resolution No. 15, 1861, p. 588; ratified election of 1862.

for the remainder of their respective unexpired term of office, and report the cause of such removal to the Legislature at its next session.

ARTICLE XIII.

EDUCATION.

SECTION 1. The Superintendent of Public Instruction shall have the general supervision of public instruction, and his duties shall be prescribed by law.*

SEC. 2. The proceeds from the sales of all lands that have been or hereafter may be granted by the United States to the State, for educational purposes, and the proceeds of all lands or other property given by individuals, or appropriated by the State for like purposes, shall be and remain a perpetual fund, the interest and income of which, together with the rents of all such lands as may remain unsold, shall be inviolably appropriated and annually applied to the specific objects of the original gift, grant or appropriation.†

SEC. 3. All lands, the title of which shall fail from a defect of heirs, shall escheat to the State; and the interest on the clear proceeds from the sale thereof shall be appropriated exclusively to the support of primary schools.

SEC. 4. The Legislature shall, within five years from the adoption of this Constitution, provide for and establish a sys-

*For duties of this office see Chap. II, p. 68.

†The fund from these lands amounted Jan. 1, 1893, to \$5,503,840.34. The income from lands and specific taxes amounted in 1892 to \$1.52 per pupil.

tem of primary schools, whereby a school shall be kept without charge for tuition, at least three months in each year, in every school district in the State; and all instruction in said schools shall be conducted in the English language.*

SEC. 5. A school shall be maintained in each school district at least three months in each year. Any school district neglecting to maintain such school, shall be deprived for the ensuing year of its proportion of the income of the Primary School Fund, and of all funds arising from taxes for the support of schools.

†SEC. 6. There shall be elected in the year eighteen hundred and sixty-three, at the time of the election of a justice of the Supreme Court, eight Regents of the University, two of whom shall hold their office for two years, two for four years, two for six years, and two for eight years. They shall enter upon the duties of their office on the first of January next succeeding their election. At every regular election of a justice of the Supreme Court thereafter, there shall be elected two Regents, whose term of office shall be eight years. When a vacancy shall occur in the office of Regent, it shall be filled by appointment of the Governor. The Regents thus elected shall constitute the Board of Regents of the University of Michigan.

*For description of School system, see Chap. VI. The rate bill was abolished in this State in 1869.

†As amended by Joint Resolution No. 17, Laws of 1861, p. 559. Ratified election 1862.

SEC. 7. The Regents of the University, and their successors in office, shall continue to constitute the body corporate known by the name and title of "The Regents of the University of Michigan."

SEC. 8. The Regents of the University shall, at their first annual meeting, or as soon thereafter as may be, elect a President of the University, who shall be *ex officio* a member of their Board, with the privilege of speaking, but not of voting. He shall preside at the meeting of the Regents and be the principal executive officer of the University. The Board of Regents shall have the general supervision of the University, and the direction and control of all expenditures from the University Interest Fund.*

SEC. 9. There shall be elected at the general election in the year one thousand eight hundred and fifty-two, three members of the State Board of Education, one for two years, one for four years, and one for six years; and at each succeeding biennial election there shall be elected one member of such Board, who shall hold his office for six years. The Superintendent of Public instruction shall be *ex officio* a member and Secretary of such Board. The Board shall have the general supervision of the State Normal School, and their duties shall be prescribed by law.†

SEC. 10. Institutions for the benefit of those inhabitants who are deaf, dumb, blind or insane, shall always be fostered and supported.

* For description of State institutions, see Chap. VII, p. 80.

† See State institutions, Chap. VII, p. 80.

SEC. 11. The Legislature shall encourage the promotion of intellectual, scientific, and agricultural improvement; and shall, as soon as practicable, provide for the establishment of an Agricultural School.* The Legislature may appropriate the twenty-two sections of salt spring lands now unappropriated, or the money arising from the sale of the same, where such lands have already been sold, and any land which may hereafter be granted or appropriated for such purpose, for the support and maintenance of such school, and may make the same a branch of the University, for instruction in agriculture and the natural sciences connected therewith, and place the same under the supervision of the Regents of the University.

†SEC. 12. The Legislature shall also provide for the establishment of at least one library in each township and city; and all fines assessed and collected in the several counties and townships for any breach of the penal laws, shall be exclusively applied to the support of such libraries, unless otherwise ordered by such township board of any township, or the board of education of any city: *Provided*, That in no case shall such fines be used for other than library or school purposes.‡

ARTICLE XIV.

TAXATION AND FINANCE.

SECTION 1. All the specific State taxes, except those received from the mining companies of the Upper Peninsula, shall be

* See State institutions, Chap. VII, p. 80.

† As amended by Joint Resolution No. 25, 1879, p. 312; ratified election of 1881.

‡ Justices of the peace should turn these funds over to the county treasurer, and he should apportion them among the various townships.

applied in paying the interest upon the Primary School, University, and other educational funds, and the interest and principal of the State debt, in the order herein recited, until the extinguishment of the State debt, other than the amounts due to educational funds, when such specific taxes shall be added to and constitute a part of the Primary School Interest Fund. The Legislature shall provide for an annual tax, sufficient with other resources, to pay the estimated expense of the State government, the interest of the State debt, and such deficiency as may occur in the resources.*

SEC. 2. The Legislature shall provide by law a sinking fund of at least twenty thousand dollars a year, to commence in eighteen hundred and fifty-two, with compound interest at the rate of six per cent per annum, and an annual increase of at least five per cent, to be applied solely to the payment and extinguishment of the principal of the State debt, other than the amounts due to educational funds, and shall be continued until the extinguishment thereof. The unfunded debt shall not be funded or redeemed at a value exceeding that established by law in one thousand eight hundred and forty-eight.†

SEC. 3. The State may contract debts to meet deficits in revenue. Such debts shall not in the aggregate at any one time exceed fifty thousand dollars. The moneys so raised shall be applied to the purposes for which they were obtained, or to the payment of the debts so contracted.

*Specific taxes are those levied on the business done by railroads, insurance companies, mining and telegraph corporations.

†The sinking fund, May 1, 1890, amounted to \$229,000.00, when the State bonds matured and the sinking fund was used to take up the bonds; hence since May 1, 1890, we have had no sinking fund, and no State debt.

SEC. 4. The State may contract debts to repel invasion suppress insurrection, or defend the State in time of war. The money arising from the contracting of such debts shall be applied to the purposes for which it was raised, or to repay such debts.

SEC. 5. No money shall be paid out of the Treasury, except in pursuance of apportionments made by law.

SEC. 6. The credit of the State shall not be granted to or in aid of any person, association or corporation.

SEC. 7. No scrip, certificate or other evidence of State indebtedness shall be issued, except for the redemption of stock previously issued, or for such debts as are expressly authorized in this Constitution.

SEC. 8. The State shall not subscribe to, or be interested in, the stock of any company, association, or corporation.

SEC. 9. The State shall not be a party to, or interested in, any work of internal improvement, nor engaged in carrying on any such work, except in the expenditure of grants to the State of land or other property.*

SEC. 10. The State may continue to collect all specific taxes accruing to the Treasury under existing laws. The Legislature may provide for the collection of specific taxes from banking, railroad, plank road, and other corporations hereafter created.

SEC. 11. The Legislature shall provide an uniform rule of taxation,† except on property paying specific taxes, and taxes shall be levied on such property as shall be prescribed by law.

* The former experience of the State, from 1837 to 1841, concerning wild-cat banking, railroad and canal building, was not to be permitted by this Constitution.

† The Legislature determines the amount of the State tax, and the Auditor

SEC. 12. All assessments hereafter authorized shall be on property at its cash value.*

SEC. 13. The Legislature shall provide for an equalization by a State Board, in the year one thousand eight hundred and fifty-one, and every fifth year thereafter, of assessments on all taxable property, except that paying specific taxes.†

SEC. 14. Every law which imposes, continues, or revives a tax, shall distinctly state the tax and the object to which it is to be applied; and it shall not be sufficient to refer to any other law to fix such tax or object.

General apportions it among the counties. The Board of Supervisors determines the amount of the county tax, and apportions this and the State tax among the townships. The town meeting and township board determine the township tax, and the supervisor apportions this and the State and county tax among the taxpayers of his township.

*The supervisor assesses the property of his township, or estimates the value of each man's property. The supervisor and two persons elected at spring election, act as a board of review, to correct errors, hear complaints and amend the roll.

The following property is exempt from taxation: (1) All property belonging to the United States, the State, county, township, village or city. (2) The property of all library, benevolent, charitable and scientific institutions, or G. A. R. posts. (3) The property of religious societies; as churches, parsonages, burial grounds. (4) The property of persons, who, by reason of infirmity, age or poverty, are, in the opinion of the supervisor, unable to pay taxes. (5) \$20 dollars worth of personal property, \$150 worth of library books and \$150 worth of musical instruments.

The township treasurer, city collector or village marshal collects the taxes, turning the State and county tax over to the county treasurer, who turns the State tax over to the State, making his settlement with the Auditor General. The school tax is paid over by the collectors to the assessor of the district. The time fixed for the collection of taxes is the month of December of each year. If the taxes are not paid before the first of January, four per cent is added for collection fees. If a person refuses or neglects to pay his taxes, enough of his property is sold to pay them.

†A Board of Equalization is to determine if the assessments made in the different counties or townships are relatively equal. The Board of supervisors equalizes the assessments among the townships, and the State board of equalization among the counties. The board consists of the Lieutenant Governor, Auditor General, Secretary of State, State Treasurer, Commissioner of the State Land Office. Each county of the State usually sends a delegate to represent said county at the time of meeting which is the third Monday in August of the years designated in the Constitution.

ARTICLE. XV.

CORPORATIONS.

*SECTION 1. Corporations may be formed under general laws, but shall not be created by special act, except for municipal purposes. All laws passed pursuant to this section may be amended, altered, or repealed. But the Legislature may, by a vote of two-thirds of the members elected to each house, create a single bank, with branches.

*SEC. 2. No general banking law shall have effect until the same shall, after its passage, be submitted to a vote of the electors of the State at the general election, and be approved by a majority of the votes cast thereon at such election.

†SEC. 3. The officers and stockholders of every corporation or association for banking purposes, issuing bank notes or paper credits, to circulate as money, shall be individually liable for all debts contracted during the term of their being officers or stockholders of such corporation or association, equally and ratably to the extent of their respective shares of stock in any such corporation or association.

*SEC. 4. For all banks organized under general laws, the Legislature shall provide for the registry of all bills or notes issued or put into circulation as money, and shall require security to the full amount of notes and bills so registered, in State

*As amended by Joint Resolution No. 11, 1859, p. 1100. Ratified election 1860.

†As amended by Joint Resolution No. 17, 1861, p. 589. Ratified election 1862.

or United States stocks, bearing interest, which shall be deposited with the State Treasurer for the redemption of such bills or notes, in specie.

SEC. 5. In case of the insolvency of any bank or banking association, the bill holders thereof shall be entitled to preference in payment over all other creditors of such bank or association.

SEC. 6. The Legislature shall pass no law authorizing or sanctioning the suspension of specie payments by any person, association or corporation.

SEC. 7. The stockholders of all corporations and joint stock associations shall be individually liable for all labor performed for such corporation or association.

SEC. 8. The Legislature shall pass no law altering or amending any act of incorporation heretofore granted, without the assent of two-thirds of the members elected to each house; nor shall any such act be renewed or extended. This restriction shall not apply to municipal corporations.

SEC. 9. The property of no person shall be taken by any corporation for public use, without compensation being first made or secured in such manner as may be prescribed by law.*

†SEC. 10. No corporation, except for municipal purposes, or for the construction of railroads, plank roads, and canals, shall be created for a longer time than thirty years; but the Legislature may provide by general laws applicable to any corporations, for one or more extensions of the term of such corpora-

*For right of *eminent domain* and arbitration, see any text-book on general civil government.

†The portion of this section after the word years in the third line was added by amendment, April 1, 1889.

tions while such term is running, not exceeding thirty years for each extension, on the consent of not less than a two-thirds majority of the capital of the corporation; and by like general laws for the corporate re-organization for a further period not exceeding thirty years, of such corporations whose terms have expired by limitation, on the consent of not less than four-fifths of the capital: *Provided*, That in cases of corporations where there is no capital stock the Legislature may provide the manner in which such corporation may be reorganized.

SEC. 11. The term "corporation," as used in the preceding sections of this article, shall be construed to include all associations and joint stock companies having any of the powers or privileges of corporation, not possessed by individuals or partnerships. All corporations shall have right to sue, and be subject to be sued in all courts, in like cases as natural persons.

SEC. 12. No corporation shall hold any real estate hereafter acquired, for a longer period than ten years, except such real estate as shall be actually occupied by such corporation in the exercise of its franchise.

SEC. 13. The Legislature shall provide for the incorporation and organization of cities and villages, and shall restrict their powers of taxation, borrowing money, contracting debts, and loaning their credit.*

SEC. 14. Judicial officers of cities and villages shall be elected, and all other officers shall be elected or appointed, at such time and in such manner as the Legislature may direct.†

* For city and village officers see Chap. V., p. 76.

† See Chap. V., p. 76.

SEC. 15. Private property shall not be taken for public improvements in cities and villages without the consent of the owner, unless the compensation thereof shall first be determined by a jury of freeholders, and actually paid or secured in the manner prescribed by law.

SEC. 16. Previous notice of any application for an alteration of the charter of any corporation shall be given in such manner as may be prescribed by law.*

ARTICLE XVI.

EXEMPTIONS.

SECTION 1. The personal property of every resident of this State, to consist of such property only as shall be designated by law, shall be exempted to the amount of not less than five hundred dollars, from sale on execution or other final process of any court, issued for the collection of any debt contracted after the adoption of this constitution.

SEC. 2. Every homestead of not exceeding forty acres of land, and the dwelling house thereon, and the appurtenances to be selected by the owner thereof, and not included in any town plat, city, or village; or instead thereof, at the option of the owner, any lot in any city, village, or recorded town plat or such parts of lots as shall be equal thereto, and the dwelling house thereon, and its appurtenances, owned and occupied by any resident of the State, not exceeding in value fifteen hundred dollars, shall be exempt from forced sale on execution

*The notice must be made by the principal officers and published for four successive weeks in the nearest newspaper. See Howell's Statutes, 1882, § 4082.

or any other final process from a court, for any debt contracted after the adoption of this Constitution. Such exemption shall not extend to any mortgage thereon, lawfully obtained; but such mortgage or other alienation of such land by the owner thereof, if a married man, shall not be valid without the signature of the wife of the same.

SEC. 3. The homestead of a family, after the death of the owner thereof, shall be exempt from the payment of his debts contracted after the adoption of this Constitution, in all cases, during the minority of his children.*

SEC. 4. If the owner of a homestead die, leaving a widow but no children, the same shall be exempt, and the rents and profits thereof shall accrue to her benefit during the time of her widowhood, unless she be the owner of a homestead in her own right.*

SEC. 5. The real and personal estate of every female, acquired before marriage, and all property to which she may afterwards become entitled by gift, grant, inheritance, or devise, shall be and remain the estate and property of such female, and shall not be liable for the debts, obligations or engagements of her husband; and may be devised or bequeathed by her as if she were unmarried.†

ARTICLE XVII.

MILITIA.

†SECTION 1. The militia shall be composed of all able-bodied male citizens between the ages of eighteen and forty-five

* These important and humane provisions reflect to a certain extent the agitations and reforms of the exciting times of 1850.

† As amended by Joint Resolution No. 42, 1869, p. 425. Ratified election of 1870.

years, except such as are exempted by the laws of the United States or of this State; but all such citizens of any religious denomination whatever, who, from scruples of conscience, may be averse to bearing arms, shall be excused therefrom, upon such conditions as shall be prescribed by law.*

SEC. 2. The Legislature shall provide by law for organizing, equipping and disciplining the militia, in such manner as they shall deem expedient, not incompatible with the laws of the United States.†

SEC. 3. Officers of the militia shall be elected or appointed, and be commissioned in such manner as may be provided by law.

* These are the *enrolled* militia, not subject to military duty, except in case of war, rebellion, or invasion. The following persons are exempt from military duty: Ministers, teachers, judges, legislators, State and county officers, officers and guards of the State prisons, and all commissioned officers of the militia who have served as such for six years.

† The *active* militia is composed of volunteers between the ages of 18 and 45 years, trained to military duty, and known as State troops. There are at present four regiments, containing 36 companies. The term of enlistment is three years. Each company is furnished with arms, uniforms, etc., at the expense of the State. When in actual service, each private receives \$1.25 per day and rations; non-commissioned officers and musicians \$1.25 per day; commissioned officers the same pay that officers of similar rank in the United States army receive. Each company drills regularly in its armory, furnished it by the State; it is also customary for all the regiments to hold a week's encampment during each summer. The principal officers are: *Commander-in-Chief* (the Governor of the State); *Adjutant General*, through whom the Governor issues all orders, and who keeps a record of all the State militia, both enrolled and active; *Inspector General*, who has the supervision and care of the discipline, mustering and inspecting; *Quartermaster General*, who has charge of the arsenals, munitions of war and all military supplies. The *State Military Board* consists of the Inspector General and two other members, appointed for two years. This is an advisory board to the Commander-in-Chief on all military affairs. They receive three dollars per day while attending meetings of the board and five cents mileage.

ARTICLE XVIII.

MISCELLANEOUS PROVISIONS.

SECTION 1. Members of the Legislature, and all officers executive and judicial, except such officers as may by law be exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of this State, and that I will faithfully discharge the duties of the office of ——— according to the best of my ability." And no other oath, declaration, or test shall be required as a qualification for any office or public trust.

*SEC. 2. When private property is taken for the use or benefit of the public, the necessity for using such property and the just compensation to be made therefor, except when to be made by the State, shall be ascertained by a jury of twelve freeholders, residing in the vicinity of such property, or by not less than three commissioners, appointed by a court of record, as shall be prescribed by law: *Provided*, The foregoing provision shall in no case be construed to apply to the action of commissioners of highways in the official discharge of their duty as highway commissioners.

SEC. 3. No mechanical trade shall hereafter be taught to convicts in the State Prison of this State, except the manu-

*As amended by Joint Resolution, No. 14, 1859, p. 1102. Ratified election of 1860.

facture of such articles of which the chief supply for home consumption is imported from other States or countries.*

SEC. 4. No navigable stream in the State shall be either bridged or dammed without authority from the board of supervisors of the proper county, under the provisions of law. No such law shall prejudice the right of individuals to the free navigation of such streams, or preclude the State from the further improvement of the navigation of such streams.

SEC. 5. An accurate statement of the receipts and expenditures of the public moneys shall be attached to and published with the laws at every regular session of the Legislature.

SEC. 6. The laws, public records, and the written, judicial, and legislative proceedings of the State shall be conducted, promulgated, and preserved in the English language.

SEC. 7. Every person has a right to bear arms for the defense of himself and the State.

SEC. 8. The military shall in all cases, and at all times, be in strict subordination to the civil power.

SEC. 9. No soldier shall, in time of peace, be quartered in any house without the consent of the owner or occupant, nor in time of war except in the manner prescribed by law.

SEC. 10. The people have the right peacefully to assemble together, to consult for the common good, to instruct their Representatives, and to petition the Legislature for redress of grievances.

*The convicts in our prisons work at some part of a trade only. In making wagons, for instance, one will shape the spoke, another the hub, etc.

SEC. 11. Neither slavery nor involuntary servitude, unless for the punishment of crime, shall ever be tolerated in this State.*

SEC. 12. No lease or grant hereafter, of agricultural land, for a longer period than twelve years, reserving any rent or service of any kind shall be valid.

SEC. 13. Aliens who are, or who may hereafter become, *bona fide* residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property, as native born citizens.†

SEC. 14. The property of no person shall be taken for public use, without just compensation therefor. Private roads may be opened in a manner to be prescribed by law; but in every case the necessity of the road and the amount of all damages to be sustained by the opening thereof, shall be first determined by a jury of freeholders; and such amount, together with the expenses of proceedings shall be paid by the person or persons to be benefited.

SEC. 15. No general revision of the laws shall hereafter be made. When a reprint thereof becomes necessary, the Legislature, in joint convention, shall appoint a suitable person to collect together such acts and parts of acts as are in force and, without alteration, arrange them under appropriate heads and titles. The law so arranged shall be submitted to two commissioners, appointed by the Governor, for

*The ordinance of 1787 prohibited slavery in the Northwest Territory, of which Michigan was a part.

†This section was not a part of the Constitution of 1887.

examination, and if certified by them to be a correct compilation of all general laws in force, shall be printed in such manner as shall be prescribed by law.

ARTICLE XIX.

UPPER PENINSULA.

*SECTION 1. The counties of Mackinac, Chippewa, Delta, Marquette, Schoolcraft, Houghton, and Ontonagon, and the islands and territory thereunto attached, the Islands of Lake Superior, Huron, and Michigan, and in Green Bay and the Straits of Mackinac and the River Ste. Marie, shall constitute a separate judicial district, and be entitled to a district judge and district attorney.

†SEC. 2. The district judge shall be elected by the electors of such district, and shall perform the same duties and possess the same powers as a circuit judge in his circuit, and shall hold his office for the same period.

‡SEC. 3. The district attorney shall be elected every two years by the electors of the district, shall perform the duties of prosecuting attorney throughout the entire district, and may issue warrants for the arrest of offenders in cases of felony, to be proceeded with as shall be prescribed by law.

SEC. 4. Such judicial district shall be entitled at all times to at least one Senator, and, until entitled to more by its population, it shall have three members of the House of Representatives, to be apportioned among the several counties by the Legislature.

*See act 150, Laws of 1863, p. 231.

†See act 150, Laws of 1863, p. 231.

‡See act 191, Laws of 1865, p. 320.

SEC. 5. The Legislature may provide for the payment of the district judge a salary not exceeding one thousand dollars a year, and of the district attorney not exceeding seven hundred dollars a year; and may allow extra compensation to the members of the Legislature from such territory, not exceeding two dollars a day during any session.*

†SEC. 6. That elections for all district or county officers, State Senators, or Representatives, within the boundaries defined in this article, shall take place on the Tuesday succeeding the first Monday of November in the respective years in which they may be required; the county canvass shall be held on the first Monday thereafter, and the district canvass on the third Monday of said November.

SEC. 7. One-half of the tax paid into the treasury from mining corporations in the Upper Peninsula, paying an annual State tax of one per cent, shall be paid to the treasurers of the counties from which it is received, to be applied for township and county purposes, as provided by law. The Legislature shall have power, after the year one thousand eight hundred and fifty-five, to reduce the amount to be refunded.‡

SEC. 8. The Legislature may change the location of the State Prison from Jackson to the Upper Peninsula.§

*The members from the Upper Peninsula, in the days when this Constitution was adopted, were obliged to leave home before navigation closed in the fall, and could not return until it opened in the summer, unless they took the risks and hardships of an overland ride by stage. The Legislature was in session but little more than forty days, and thus it was thought that the members from the Upper Peninsula should receive \$5.00 per day. The Legislature of 1885 refused to grant the extra compensation, believing that the need of it had passed by. The Legislatures of 1887, 1889 and 1891 voted the extra \$2.00 per day.

†As amended by Joint Resolution, No. 17, 1881, p. 539, ratified election 1882.

‡The Legislature of 1887 reduced the amount to be refunded to one-fifth.

§A branch State Prison was established at Marquette in 1885.

SEC. 9. The charters of the several mining corporations may be modified by the Legislature, in regard to the term limited for subscribing to stock, and in relation to the quantity of land which a corporation shall hold; but the capital shall not be increased, nor the time for the existence of charters extended. No such corporation shall be permitted to purchase or hold any real estate, except such as shall be necessary for the exercise of its corporate franchises.

*ARTICLE XIX.—A.

RAILROADS.

SECTION 1. The Legislature may, from time to time, pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on different railroads in this State, and shall prohibit running contracts between such railroad companies whereby discrimination is made in favor of either of such companies as against other companies owning connecting or intersecting lines of railroad.†

SEC. 2. No railroad corporation shall consolidate its stock, property, or franchises with any other railroad corporation owning a parallel or competing line; and in no case shall any consolidation take place except upon public notice given of at least sixty days to all stockholders, in such manner as shall be provided by law.

*Submitted by Joint Resolution, No. 1, 1870, p. 13; adopted election of 1870.

†The Legislature of 1889 fixed the fares as follows: Roads whose gross passenger earnings in 1888 exceeded \$2,000 per mile, 2c per mile; between \$2,000 and \$3,000, 2½c, etc.

ARTICLE XX.

AMENDMENTS AND REVISIONS.

*SECTION 1. Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives. If the same shall be agreed to by two-thirds of the members elected to each house, such amendment or amendments shall be entered on the journals respectively, with the yeas and nays taken thereon; and the same shall be submitted to the electors at the next spring or autumn election thereafter, as the Legislature shall direct; and if a majority of electors qualified to vote for members of the Legislature, voting thereon, shall ratify and approve such amendment or amendments, the same shall become a part of the Constitution.

†SEC. 2. At the general election to be held in the year one thousand eight hundred and sixty-six, and in each sixteenth year thereafter, and also at such other times as the Legislature may by law provide, the question of the general revision of the Constitution shall be submitted to the electors qualified to vote for members of the Legislature; and in case a majority of the electors so qualified, voting at such election, shall decide in favor of a convention for such purpose, the Legislature, at the next session, shall provide by law for the election of such delegates to such convention. All the amendments shall take effect at the commencement of the year after their adoption.

* As amended by Joint Resolution No. 29, 1875, p. 310; ratified election of 1878. There have been thus far (1891) 50 amendments submitted, of which 30 have been adopted.

† As amended by Joint Resolution No. 17, 1881, p. 589; ratified election of 1882. The question of general revision was carried in 1880, but the people rejected the Constitution thus formed; in 1882 the question of general revision was lost; in 1892 it was carried.

* REVIEW QUESTIONS.

In answering some of the following questions the pupil will be obliged to consult a Michigan history, the dictionary, Howell's Annotated Statutes, or perhaps some text-book on general government. Nearly all, however, are answered in the Constitution and the pages following it.

1. Trace on a map and describe the present boundaries of Michigan.
2. Define "Government," "state," "nation," "constitution," "statute," "common law," "jurisdiction."
3. When was our present constitution adopted?
4. Was the old constitution amended, or was a new constitution written?
5. Under what condition may Michigan amend her constitution?
6. Why was the old constitution changed?
7. In what year was the capital changed to Lansing? Have there been other capitals than Detroit and Lansing?
8. What departments of government are recognized in the constitution? Why should they be separated?
9. What person belongs to two or more departments? Why?
10. Why should the legislative power be vested in two houses?
11. How many senatorial districts are there? What is the number of your district; the name of the senator representing it; his politics?
- †12. When may a county be divided into senatorial districts? What county is divided; what district contains the most counties?
13. From what does the word county come?
14. How many representatives in the last legislature?
15. Can there be more or less than this number?
16. What is the length of senatorial and representative terms?
17. Who divides the state into senatorial districts?
18. Who divides the state into representative districts?
19. May a township be divided to form a senatorial district?
20. May a township be divided to form a representative district?
21. If a city contain more than the ratio for one representative, what is done?
22. How can the State have only 98 districts and 100 representatives?
- ‡23. What is the present ratio of representation?
24. Define the words "half," "majority," "moiety," "plurality," "quorum."
25. In what year is the census of Michigan taken? Is the census the same as the enumeration?
26. How often does a re-arrangement of senatorial districts take place?
27. Name five things revealed by the State census besides the number of people.
28. What is the use of these data?

*The schedule which closes the Constitution is of no particular importance now, and we fill its place with research and review questions. We insert the questions here to preserve the paging.

†The 27th senatorial district comprises nine counties; the 28th, eight; the 30th, seven; and the 31st, six.

‡The present ratio of representation is 20,988. Wayne county has 12 representatives.

29. Under whose authority is the census taken, and what is the method of doing it?
30. What is understood by Indians "not civilized?"
31. If a division into districts has been made by the board of supervisors, upon what condition can a new division be made?
32. How many senators or representatives vacate their office?
33. What prohibition on members of the legislature as to holding other offices? Why is this so?
34. What are the privileges of members in regard to arrest?
35. What are notaries public, by whom appointed, and their duties?
36. In Article IV., Section 8, does it mean that a majority of all the members or all the members present is necessary to do business?
37. How is the attendance of absent members compelled? What penalties are prescribed?
38. Define the words "majority," "quorum."
39. For what offenses may the house punish its members?
40. Name the principal officers of each house.
41. Under what circumstances may a member be expelled?
42. What is the name of the paper of the legislature?
43. When is the *viva voce* vote always taken?
44. What is the meaning of the last three lines of Art. IV., Sec. 11?
45. What officer is elected at a joint session?
46. What prohibitions on the houses as to adjournment?
47. What is a bill, an order, a resolution, a law, an act, a statute?
48. Give the different ways in which a bill may become a law. Compare them with the ways in the United States constitution?
49. Define "emoluments," "compensation," "pay," "wages," "hire," "stipend," "salary."
50. How often do members draw pay?
51. What is a "session" of the legislature?
52. If the legislature adjourns for a number of days, do members receive pay for those days?
53. Has the legislature ever given members from the Upper Peninsula extra compensation? Is it the practice now?
54. How may an extra session be called?
55. State three facts pertaining to extra sessions.
56. What is done in regard to paying members when the extra sessions are necessarily longer than twenty days?
57. Does the house elect its presiding officer? Does the senate? What is their compensation?
58. Define "elect," "appoint."
59. What is the object of the first part of Sec. 18, Art. IV.?
60. How does the State let its contracts? Outline the process.
61. Must State contracts be let to the lowest bidder?
- *62. How many standing committees in each house, their uses?
63. In what ways may committees treat bills?
64. Under what circumstances do bills become laws?
65. Under what condition may laws be amended?
66. When cannot bills be introduced?
67. When is a bill said to be on its final passage?
68. What is said about the title of a law? Why is this?

* There are 53 standing committees in the house, and 50 in the senate. For duties see Legislative Manual.

69. Have any important laws recently been declared unconstitutional on these grounds?
70. What is the rule in regard to the compensation of contractors?
71. Define "constructive" labor.
- *72. Who provides for furnishing fuel, etc., for the legislature?
73. Are religious services conducted in the legislature? Are they paid for?
74. What are the duties of the chaplain of the State prison?
75. Why should not divorces be granted by the legislature?
76. When does the legislature meet? About how long continue?
77. To whom, by whom, and when are lists of members delivered?
- †78. Describe the method of organizing the house, the senate?
79. Who regularly administers the oath to members? Who may administer it?
80. When are elections of senators and representatives held?
81. What is a "State paper"? Has Michigan ever had one?
82. Are newspapers paid for publishing the laws? Under what conditions?
83. Can newspapers get copies of the statutes free? What other persons or institutions can get them?
84. In what manner does the legislature provide for the speedy publication of laws and judicial decisions?
85. Under what circumstances may the Legislature fill vacancies?
86. Under what circumstances may the Legislature appropriate money for local purposes? Define "local purposes."
87. What is a petit jury? What is a grand jury?
88. Has Michigan authorized a jury of less than twelve men? Of more?
89. Give the "enacting clause" of Michigan.
90. Who is the chief executive of a school district, a township, a county, a state, a nation?
91. What is the executive term?
92. What are the three qualifications for Governor?
93. Must the two years' residence be continuous?
94. Who determines the time and place of electing members of the Legislature?
95. Who else are elected at this election?
96. What is a "joint vote"?
97. Has the State both naval and military forces?
98. Under whose control are these forces?
99. May a State keep a standing army?
100. Name three items of "necessary business" which the Governor transacts with State officers.
101. Has the Governor a cabinet?
102. Who makes a demand on the Governor for State troops?
103. Name two occasions when the Governor was called upon for troops.
104. Has a Governor ever convened a special session of the Legislature?
105. Name four acts in connection with the meeting and adjournment of the Legislature.

* The Board of State Auditors makes all contracts for fuel, stationery, printing, etc.

† The clerk of last house calls members to order, administers oath of office according to list furnished him by Secretary of State, officers are next chosen, and the house is said to be organized. Any one legally qualified to administer oaths may swear in the members.

106. If the Legislature adjourn to meet at A, may the Governor convene it at B?
107. To whom are writs of election issued?
108. Does Sec. 10, Art. V., refer to United States or State officers?
109. Who fills vacancies in the State Legislature?
110. Define a reprieve, pardon, and commutation of sentence; and give illustrations of each.
111. What offenses can not the Governor pardon? Why?
112. In what way does the Legislature share the executive's power?
113. In what way does the executive share the Legislature's power?
114. Can one man commit treason?
115. Is the Legislature obliged to dispose of cases of treason?
116. In his pardoning power, how is the Governor assisted?
117. Tell something of its organization and methods.
118. Has a Lieutenant Governor in Michigan ever acted as Governor?
119. Under what circumstances may the Lieutenant Governor be Commander-in-Chief of military forces?
120. Does the word "military" in Sec. 12, Art. V., include "naval"?
121. What is the meaning of "*pro tempore*?"
122. Give the privileges of the Lieutenant Governor in the Senate.
123. What is a "committee of the whole;" what is the object of the committee; how is it organized; and how does it differ from an ordinary committee?
124. In Sec. 15, Art. V., what is meant by "holding office under this State?"
125. What prohibitions are put upon the Governor and Lieutenant Governor as to holding office?

(Continued on page 88.)

RESEARCH QUESTIONS.

The following questions are added for the purpose of leading pupils to do more extended reading. They are adapted to the more advanced pupils.

In searching for answers consult Howell's Annotated Statutes, United States Civil Government, Michigan Manual, Michigan History and Unabridged Dictionaries.

1. What do you understand by the "Ordinance of 1787?"
2. By this compact what was to be the southern boundary of Michigan?
3. By what right did Ohio claim another boundary?
4. What was the result of these conflicting claims?
5. In this controversy which State was right—Ohio or Michigan?
6. Tell about the "Frost bitten" convention.
7. What principle does the admission of Michigan illustrate?
8. What steps are necessary for the admission of a territory into the United States?
9. What is the difference between "territory" and "a territory?"
10. Of what state was Michigan formerly a part?
11. What was the capital of Michigan territory?
12. Name two men who exercised influence over the early history of Michigan.
13. Give names of two Indians celebrated in our early history.

14. What is the meaning of the word "gerrymander?" Show by a figure how a county which is Democratic may yet elect one Republican representative.
15. Define "a citizen of the United States."
16. Show the difference between a resident, inhabitant and citizen.
17. In Civil Government how many uses has the word "elector?" Define each.
18. If a senator moves from his district on July 8 he is said to vacate his office. How would it be if he should return on the 1st of August—Would he, *de facto*, be senator again?
19. What are civil and military offices?
20. A is postmaster at Detroit July 1. On that day he is elected member of the legislature. He resigns the postmastership on July 8. Is he legally a member of the legislature?
21. Define the words "crime," "offense," "misdemeanor," "treason" "felony," "breach of the peace," "civil" and "criminal" offenses.
22. What is a civil process?
23. If a member is found bribing another may the house punish him? Is he amenable to the statute laws of the State?
24. It is stated that a member cannot be expelled for any cause known to his constituents antecedent to his election; how will it be determined whether the cause was known or not? Has a member ever been expelled from the Michigan legislature?
25. Name four common methods of voting.
26. Which of these methods is pursued in the senate generally?
27. Under what circumstances is the yea and nay vote taken in the house?
28. For what purposes do the houses meet in joint session?
- *29. What is the difference between a joint and a concurrent resolution?
30. In your opinion, do members of the legislature receive too much or too little pay?
31. Define "perquisites." What are the perquisites of members?
32. What does Sec. 16, Art. IV, indicate, and why has it never been repealed?
33. Define "null and void," "dead letter."
34. What is a civil appointment? Give two examples.
35. What is a "civil appointment to the United States Senate"?
36. If a person holds a civil appointment under State authority, can he be elected member of the legislature?
37. How does the United States let its mail contracts? Outline the process.
38. Distinguish between a contract and a promise.
39. Why should members of the legislature be prohibited from having interests in contracts?
40. Distinguish between a direct and an indirect interest.
41. Has every taxpayer an indirect interest in the contract?
42. A and B are brothers. A is the silent partner in the firm of "B & Co." A's term in the legislature expired six months ago. B & Co. are granted a contract of public printing, (a) was the granting of such contract legal? (b) If so, what is A's course?
43. Define a "bill," "law," "resolution," "vote."

* A joint resolution is nearly the same as a bill, differing only in minor matters of form. Concurrent resolutions concern only the two houses, and are not sent to the governor for his signature; they are not laws, although the constitution does not recognize the distinction as far as the governor's signature is concerned.

44. What is meant by reading a bill by its title? Illustrate.
 45. Define an enrolled, and an engrossed bill.
 46. Are members compelled to vote on the call of the ayes and nays?
 47. What is the rule in regard to this in congress?
 48. What would be the effect of striking out the comma in first line Sec. 20,
- Art. IV.**
49. Do you regard the conditions of contracts as given in Sec. 22, Art. IV, as unnecessarily severe? Why?
 50. Define "real estate," "sale," "conveyance."
 51. About how many acres in every township are occupied by roads?
 52. What is a recorded town plat?
 53. To whom do the roads of a town belong?
 54. What establishes the disuse of a road?
 55. To whom does the land of a disused road belong?
 56. What is the legal width of a road?
 57. Under what circumstances may men raise crops at the roadside?
 58. Must road fences be kept up; line fences?
 59. Can a house be moved to lay out a new road?
 60. Can a new road pass through a graveyard? an orchard?
 61. What is a State road; a plank road; are there any now?
 62. What is the "Chicago" road?
 63. Did the United States ever build a road, a railroad, a telegraph line, or a telephone line?
 64. Find out what you can about "Roman roads."
 65. It is sometimes stated that the University was founded on a lottery. Explain.
 66. What states, if any, legalize lotteries?
 67. Does the United States allow lottery tickets to be sent through the mails?
 68. Under what circumstances may a contested election arise?
 69. Is the member elected granted compensation for the time during which the contest was pending?
 70. Name five classes of persons ineligible to the Legislature?
 71. What is meant by "auditing" a private claim or account?
 72. If a county treasurer should have money stolen from him, can the Legislature authorize a tax to reimburse him? Why?
 73. If a person in Michigan have a claim against the State, in what way may it be settled?
 74. Can a citizen of Michigan sue Michigan? Can a citizen of Indiana? If so, where will the case be tried?
 75. Is there such a thing as an "unorganized township?"
 76. Which existed first, townships or counties?
 77. Is the division of a State into townships a State or United States matter?
 78. What is a corporation, an incorporated village?
 79. Why should villages, etc., have special legislative power?
 - *80. What division of the State did De Tocqueville say was characteristic of the United States?
 81. What is meant by "worshiping God?"
 82. Is church property taxed? Why?
 83. What are civil and political privileges?
 84. Is voting a right or a privilege?
 85. May an atheist be a witness in a Michigan court?

* Division into townships, Vol. 1, p. 74,

86. What is the common law on this point?
87. What is meant by liberty of the press and liberty of speech?
88. Define "slander," "libel," and state what changes, if any, have been made in the laws establishing guilt?
89. Define "bill of attainder," and give its history.
90. Define "ex post facto law," and illustrate.
91. What is meant by impairing the "obligations of contracts?" Illustrate.
92. Under what circumstances may a contract be impaired by law?
93. Who can and who cannot pass bankrupt laws?
94. Show difference between an insolvent and a bankrupt law?
95. Has Michigan an insolvent law?
96. What are the three natural rights of a common law?
97. Define "habeas corpus" and outline the process necessary to obtain the writ.
98. If a bill is to be gotten rid of, how is the motion often made?
99. What is the significance of the term "lieutenant?"
100. Define the word "vested."
101. What is the difference between "chosen" and "elected?"
102. What is a "citizen" of Michigan; a "citizen" of the United States; a "citizen" of Detroit?
103. Has Michigan ever had a Governor not a native-born citizen?
104. Define a "paper," "an instrument," "a writ."
105. Give some idea as to how a writ of election reads.
106. Are treason against the United States and treason against the State the same?

(Continued on page 93.)

CHAPTER II.

DUTIES OF STATE OFFICERS—BOARDS.

Governor and Lieutenant Governor.—The duties of these officers are so well defined in the Constitution, ART. V., that further explanation is not necessary here.

Secretary of State.—This officer is the custodian of the great seal of the State, and of the laws and records of the State. He countersigns all commissions and proclamations of the Governor. He publishes the laws, Legislative Manual, and annual reports relating to agriculture and vital statistics. He supervises taking, compiling, and publishing the State census* every tenth year. He issues patents for State lands, gives notice to sheriffs of State elections and submission of amendments, and also receives returns of State and National elections.

The State Treasurer.—The Treasurer is custodian of the State funds. He pays out money only in a manner fixed by law. He is the State Sealer of Weights and Measures. He is required to give bonds in the sum of \$150,000, with three or more sureties approved by the Auditor General and Attorney General. He is required to make an annual report to the Governor.

The Auditor General.—This officer keeps the account between the State and State Treasurer. No moneys can be paid out of the treasury except upon his warrant, and he countersigns all receipts of the State Treasurer. He apportions the State tax among the counties, and settles accounts with the county treasurers for money due the State. A large share of the

*The census gives the number of inhabitants, their sex, color, nativity, etc. It gives amount and value of all agricultural, mineral, and manufactured products, and much other valuable information.

duties of the office is connected with levying and collecting taxes. The Auditor General examines all claims against the State, and orders the payment of those that are just.

Commissioner of the State Land Office.—This officer has general charge of all lands belonging to the State; prosecutes trespasses on State lands, issues licenses to homestead settlers, and, in short, attends to the sale, leasing, or general disposition of all State lands.

The Superintendent of Public Instruction.—This officer has general supervision of the public schools and of State educational institutions; collects and tabulates the school statistics of the State; apportions the primary school interest fund to the counties; gives information to school officers upon construction of school law; prepares and furnishes blanks for use of school officers; organizes and visits teachers' institutes, and appoints instructors for them; receives reports from superintendents of schools, county school commissioners, and from all State and chartered educational institutions; makes annual reports to the Governor, and compiles and publishes the school laws; visits all State educational institutions and meets with the governing boards of such at least once in each year; delivers lectures on educational subjects; appoints visitors to the State University and all chartered educational institutions, and prepares all questions used in the examination of teachers throughout the State.

The Attorney General.—The duties of this officer are: (1) To prosecute and defend all actions in the Supreme Court in which the State shall be interested, and when requested by the Gov-

ernor or any State officer, or the Legislature, he is required to appear for the people in any court or tribunal in any matter, civil or criminal, in which the State or any department of the government may be interested. (2) He is required to give opinions on questions submitted to him by the Legislature, the Governor, or any State officer. (3) He is bound to consult with and advise prosecuting attorneys, when requested, in all matters pertaining to the duties of the offices.

EX-OFFICIO STATE BOARDS.

The following are some of the more important State boards:

Board of Auditors.—Secretary of State, State Treasurer, Commissioner of the Land Office. Regular meeting on the last Wednesday of each month.

Board of Equalization.—Lieutenant Governor, Secretary of State, Land Commissioner, Auditor General, Treasurer. Regular meeting on the third Monday of August, 1851, and every fifth year thereafter.

Board of Canvassers.—Secretary of State, Treasurer, Land Commissioner. Meeting to canvass votes for other than Presidential electors* on or before December 15, after a general election and within forty days after a special election; to canvass votes for electors, on Wednesday next after third Monday of November; to canvass votes on constitutional amendment or banking law, on or before twentieth of month next after election.

Board of Geological Survey.—Governor, Superintendent of Public Instruction, President of State Board of Education.

* Each congressional district in Michigan by act of the Legislature of 1891, chooses one Presidential elector. The two at large are chosen by districts. The 1st, 2d, 6th, 7th, 8th, and 10th congressional districts comprising the eastern district, the remaining ones the western.

MISCELLANEOUS STATE BOARDS.

Board of Health.—Six members appointed by the Governor. Term six years. Secretary elected by the board.

Corrections and Charities.—The Governor and four commissioners appointed by him for a term of eight years.

State Board of Inspectors.—The Governor and four members appointed by him for eight years. They have control of all the State penal institutions, and act also as an advisory board of pardons.

Board of Pharmacy.—Five members, five years, appointed by the Governor. Meetings on the first Tuesdays of March, July, and November.

Live Stock Sanitary Commission.—Three members, six years, appointed by the Governor.

Board of Regents.—Eight members, elected by the people at April election, two each year for a term of eight years. They have direct charge of the State University.

State Board of Agriculture.—Six members appointed by the Governor for terms of six years. They have charge of the Agricultural College.

Board of Education.—Three members elected by the people for a term of six years, and the Superintendent of Public Instruction a member *ex officio*. They control the affairs of the State Normal School.

Central Board of Control of State Institutions.—The Governor and four members appointed by him. Term, eight years. This board has the management of the State Public School, School for the Deaf, and School for the Blind.

CHAPTER III.

DUTIES OF COUNTY OFFICERS.*

The *Sheriff* is the chief executive officer of the county; he must preserve peace and good order within the county; attend sessions of the circuit court and execute the writs and orders of the same; he has charge of the jail and prisoners confined therein. The Sheriff can hold office but four years in any six years, he receives fees fixed by law, and appoints under-sheriffs and deputies; the former performs the duties of sheriff in case of a vacancy in the office of Sheriff.

The *County Clerk* is clerk of the board of supervisors and of the circuit court. He must keep a record of proceedings, preserve all accounts, records, and books belonging to the office; administer oaths to witnesses and jurors; record births, deaths, and marriages, and draw grand and petit juries. He appoints his deputies, and designates one of them as his successor in case of vacancy. He receives fees fixed by law, and a salary fixed by the board of supervisors.

The *Treasurer* is the custodian of the county money; he can pay out money only on the order of the board of supervisors, signed by the clerk and countersigned by the chairman, except in certain cases provided by statute. He can hold office but four years in any six and must give a bond, the amount and approval of which are fixed by the board of supervisors. He receives a salary also fixed by the board. He receives from the township treasurer the State and county tax and pays the former over to the State Treasurer; he con-

*The word "county" comes from the Norman title "count."

ducts the annual sales of lands on which the taxes have not been paid. Moneys for fines, etc., are apportioned among the townships, according to the number of school children, for library purposes.

The *Register of Deeds* keeps a record of all deeds, mortgages, and other papers requiring record. He is paid by fees, 11 cents per 100 words, for recording papers; he receives other fees fixed by law for various other transactions.

The *Prosecuting Attorney* is the law officer of the county, as the Attorney General is of the State. He prosecutes criminals within the county, and gives legal advice to county officers when so requested. He is the attorney of the county in all its suits. He receives a salary, but no fees.

The *Surveyor* makes such surveys in the county, as are required by any court, or any person living in the county. He keeps a record of all surveys made by himself or his deputies. He receives a compensation of not less than four dollars per day. This office is not among those mentioned in the Constitution, having been created by statute. He is elected at the general election and for a term of two years.

Coroners.—Two coroners in each county are elected for two years at the general election. They investigate the causes of all sudden and suspicious deaths within the county. A coroner's jury of six men is summoned to take evidence and ascertain the cause of the death. The coroners, in cases of vacancy in the office of sheriff and under-sheriff, or when the sheriff is an interested party to a suit, are required to perform the duties of sheriff. They are paid by fees.

The *Circuit Judge*, *Probate Judge*, and *Circuit Court Commissioners* are described in CHAP. I., pp. 23-25.

County School Commissioner and *School Examiners* are described in CHAP. VI., p. 78.

Superintendents of the Poor.—Three in number are elected by the board of supervisors for a term of three years. They have charge of the county poor and of the county poor-house. Their pay is fixed by the board of supervisors.

The *Drain Commissioner* is chosen for a term of two years by the board of supervisors, by whom, also, his pay is determined, not to exceed three dollars per day in any case, however. His duties are to determine the necessity of county drains or ditches, and to lay out, open, and construct the same.

Board of Election Commissioners, composed of Judge of Probate, County Clerk, and County Treasurer. Duties to prepare and distribute ballots and stamps.

Notaries Public are county officers appointed by the Governor to administer oaths and take affidavits and acknowledgments. Women are eligible to this office. Their term of service is for four years, and though they must reside in the county where appointed, they may act in any part of the State.

CHAPTER IV.

DUTIES OF TOWNSHIP OFFICERS.

Supervisor.—This is the chief officer of the township. He represents the township in the county legislature. He assesses the property. He is chairman of the township board. He represents the township in legal proceedings. He is paid two dollars per day for service rendered the town. Term, one year.

Clerk.—The clerk is the record-keeper of the township. Chattel mortgages are filed in his office. He keeps an account with the township treasurer similar to that of the Auditor General with the State Treasurer. The clerk receives one and one-half dollars per day and fees. Term, one year.

Treasurer.—This officer collects the taxes, receives and cares for all township moneys. Orders for money must be signed by the clerk and countersigned by the chairman of the township board. He must give a bond running to the township. Term, one year. He can hold the office but two years in succession. He receives one and one-half dollars per day and fees.

School Inspectors.—As members of the township board of school inspectors they divide the townships into school districts and regulate or alter boundaries as occasion requires." They expend the township library moneys for books and have charge of the library. They are elected for two years. Compensation, one and one-half dollars per day.

Members of Board of Review.—There are two members of the Board of Review, elected one each year for term of two years, and together with the supervisor constitute the Board of Review to review the assessment roll, and decide upon complaints and correct errors. They meet on the Tuesday following the third Monday in May and on the fourth Monday in May of each year, continuing in session two days if necessary. The pay of a member is two dollars per day.

Highway Commissioner.—He has charge of all highways and bridges within the township. He divides the township into road districts, and, if not otherwise chosen, he selects the overseers of highways, and fills vacancies in the office. He receives one and one-half dollars per day. Term, one year.

Overseers of Highways (pathmasters) are usually chosen by acclamation; in the Upper Peninsula they are chosen as the

other officers are. They are to repair and keep in order the highways see that persons assessed to work on the highways perform their duties, cause the destruction of noxious weeds in the highways, and as *fence viewers* settle disputes respecting partition fences. They are paid one dollar per day. Term, one year.

Drain Commissioner supervises the construction of all drains or changes those already made. He is elected for two years. His pay is fixed by the township board and cannot exceed three dollars per day. Term, two years. Vacancies filled by township board.

Justices of the Peace.—[See note, ART. VI., SEC. 18, p. 27.]

Constables.—Constables perform the same duties for justice courts that the sheriff does for circuit courts. He can serve a writ in any township. It is his duty to arrest a known felon, and all persons committing breaches of peace in his presence. Not more than four in any township can be chosen. They are paid by fees. Term, one year.

Township Board.—The supervisor, the two justices whose terms of office soonest expire, and the township clerk constitute the township board. Any three of them constitute a quorum. They audit and settle claims against the township. They may vote funds to defray the ordinary township expenses when the township meeting neglects to do so. They fill vacancies in township offices.

Pound Master.—In some townships a person is chosen to impound stray domestic animals found running in the highways.

CHAPTER V.

CITIES AND VILLAGES.

City Officers.—The officers elected in a city are of two classes, (1) city officers, (2) ward officers. The city officers are mayor, clerk, treasurer, collector, assessor, street commissioner, marshal, justices. The ward officers are supervisor, constable, and two aldermen. These officers are elected in March, or April, usually, and for one year, with the exception of aldermen, who are elected for two years. The duties of these officers are so nearly similar to those of the corresponding officers in the county or township that it will not be necessary to give them here. The mayor is the chief executive and receives a salary of from one to fifty dollars per year. The collector collects the taxes. The marshal is chief of police. The aldermen constitute the common council or legislative body of the city. There are other officers usually chosen in cities, such as city surveyor, attorney, chief of fire department, but as the charters of cities vary so much, it is best to base the study of this part of the subject on the charter of the nearest neighboring city.

Village Officers.—The village officers usually chosen are president, clerk, treasurer, street commissioner, assessor, constables, trustees. The trustees are elected for two years, three each year; the other village officers for one year. The powers and duties of these officers correspond to the duties of similar officers in the city. The legislative power is vested in the council. The election is usually held in March.*

* Let each school make a special study of the charter of the nearest village.

CHAPTER VI.

THE SCHOOL SYSTEM.

The State has endeavored to make its system an organic whole, beginning with the primary schools and ending with the State University. The State Normal School, Agricultural College, and Mining School, are collateral branches designed for special purposes.

Public School Funds.—The public schools derive their support from: (1) Interest on the primary school fund; (2) one mill tax; (3) district taxes; (4) surplus of dog tax above \$100; (5) fines for breaches of the penal laws.

The *Primary School Fund* is derived from the sale of the school lands, one-half of receipts for sale of State swamp lands, and for surplus of specific taxes remaining after the interest on the State debt and on the educational fund has been paid.

The *One Mill Tax* is a tax of one mill on the dollar for school purposes. The other divisions require no explanation.

The *Superintendent of Public Instruction* is at the head of the school system. For his duties see CHAP. II.

The *State Board of Education* examines teachers for State certificates,* makes lists of books for township libraries, and is the managing board of the State Normal School. (P. 70.)

The *County Board of School Examiners* consists of three members, two of whom are chosen for two years by the county board of supervisors on the second Monday of October, one examiner being elected each year. The remaining member is known as County School Commissioner, and is elected

*The faculty of the State University was by a law passed in 1891 authorized to grant State certificates to graduates of the school who had taken the courses in teaching.

for a term of two years by the people at the April election of every odd year. The board examines candidates for teachers' certificates in the respective counties. Members of the board receive four dollars per day when performing the duties of their office.*

County School Commissioner.—It is the duty of this officer to conduct the examination for teachers, and together with the other members of the board inspect the examination papers of candidates. He must visit each school in his county at least once each year. He receives a salary fixed by the board of supervisors, but which cannot be less than \$500 per annum where there are 50 schools under his supervision, \$1,000, for 100 schools; \$1,200, for 125 schools; and not more than \$1,500 in any case. One or more assistant visitors may be appointed by the Secretary, if the work requires it. Ninety dollars per year may be expended for assistant visitors, at the discretion of the Commissioners.

The *School District* is the smallest division of the educational system. The annual meeting is held the first Monday in September of each year. At these meetings, the school taxes are voted, the length of time school is to be taught determined, members of the district board elected, and any other district business that may come before the meeting attended to. Every qualified voter who has taxable property and has resided in the school district three months preceding the school meeting is qualified to vote on all questions.† Women can vote at school meetings, and, if taxpayers, are eligible to office.

* Further information concerning examinations and certificates can be obtained from the school laws, a copy of which is in the hands of every school director.

† When the raising of money by taxation is not in question, all citizens who are 21 years of age, and are the parents or legal guardians of any children included in the school census of the district, and who have resided in the district three months, can vote.

The *District Officers** are the moderator, the director, and the assessor. They constitute the district board and have the general charge of the school. They hire teachers, prescribe text-books, and apply the money of the district. They are elected for three years, one being elected each year. The *Moderator* presides at all district meetings and is chairman of the district board. The *Assessor* acts as treasurer; he pays out money only on orders of the director, countersigned by the moderator. The *Director* is clerk of the district board and of district meetings. He gives notice of school meetings, keeps the school house in repair (or should), and makes the required reports.

Graded Schools.—When a district contains more than 100 school children, the voters of such district, if they so desire, may elect five trustees and establish a graded school. The annual meeting of the graded schools may be held on the second Monday in July. The trustees are chosen for three years, and, as a board, have about the same duties to perform as are performed by the district board just described.

CHAPTER VII.—MISCELLANEOUS.

STATE INSTITUTIONS.

The State institutions may be classified as Educational, Charitable, Reformatory, and Penal.

The *Educational* institutions may be briefly described as follows:

* District boards may now arrange for kindergarten instruction for children between the ages of 4 and 7 years. (Act 119, 1891.)

The *University* is located at Ann Arbor, was established in 1837-41, and is under the control of the Board of Regents.

The *Normal School* is located at Ypsilanti, was established in 1851-52, and is under the control of the State Board of Education.

The *Agricultural College* is located on a farm of 676 acres, three miles east of Lansing, was established in 1855, and is under the control of the State Board of Agriculture.

The *Mining School* is located at Houghton, was established in 1885, and its government is vested in a board of control consisting of six members.

The *Charitable* institutions are :

The *State Public School* at Coldwater, established in 1874, is designed as a home for neglected and dependent children.

The *School for the Deaf and Dumb* is located at Flint, was established in 1854.

The *School for the Blind* is located in Lansing. It was formerly in connection with the School for the Deaf and Dumb, but was separated from it in 1879.

The *Soldiers' Home* is located at Grand Rapids and was established in 1885. The Home is designed to furnish a home for "all honorably discharged Union soldiers and sailors of the civil war who would be otherwise dependent on charity."

The *Asylums for the Insane* are located as follows: Michigan Asylum, Kalamazoo, established in 1848; Eastern Michigan Asylum, Pontiac, opened in 1878; Northern Michigan Asylum, Traverse City, established in 1881.

Reformatory and penal institutions :

*The *Industrial School for Boys* is located at Lansing, and was established in 1855. Boys between the ages of 12 and 16, who have been convicted of minor offenses, may be sent to this school and kept there till 18 years of age.

The *Industrial Home for Girls* is located at Adrian, and was established in 1879. Similar to Industrial School for Boys.

The *House of Correction* is located at Ionia, and was established in 1877.

The *Asylum for Insane Criminals*, established in 1883, is also located at Ionia.

The *State Prison* is located at Jackson, and was established in 1839.

The *House of Correction and Branch of the State Prison in the Upper Peninsula* is located at Marquette, and was established in 1885.

JURY DRAWING.

In Justices' Courts.—An officer, previously sworn, prepares a list of 18 names of persons qualified to sit on jury in the case at issue. From this list each party to the action strikes out six names. This leaves six names, and the justice issues a writ, which is served by an officer, commanding the appearance of these persons at a certain hour.

Juries in Circuit Courts are selected as follows: The supervisors of the wards and townships prepare lists of persons suitable to serve on juries and send these lists to the county clerk. The clerk copies the names on separate pieces of paper, alike in size and appearance, folds them so as to conceal the name, and makes separate packages for each township and ward. At least fourteen days before the holding of circuit court where juries are required, twenty-four names are drawn

*Name changed from "Reform School" by legislature of 1893.

by the clerk. In the presence of the sheriff and one justice of the peace, or of two justices, the clerk takes a package of names, places it in a box, shakes the box, and draws out one slip. The name on the slip is recorded by one of the officers, then all the slips are removed from the box, and another package put in its place. The drawing proceeds until enough names are drawn. A record is made of the town from which the last name is drawn, and at the next drawing the clerk begins to draw from the package next in numerical order.

ELECTION BOARDS.

The boards of election are: Boards of registration, inspectors of election, county canvassers, district canvassers, and State canvassers.

Boards of Registration.—In cities two aldermen in each ward constitute the board; in villages, two trustees and the village clerk; in townships, the supervisor, clerk, and treasurer. These boards meet at specified times, usually the Saturday preceding an election, and record the names of all persons qualified to vote in the precinct, who present themselves for registration.

The Inspectors of Election.—In cities this board is composed of the supervisor and two aldermen* in each ward; in villages the president, clerk, and one trustee, or three trustees; in townships, the supervisor, justice of the peace whose term of office first expires, and the clerk. They receive the ballots and deposit them in ballot boxes prepared for that purpose. The polls are opened at 7 o'clock in the morning, and are closed at 5 o'clock in the afternoon.† After the polls are

*The assessor and one alderman in wards having assessors. In case of the absence of one or more of such inspectors, at the time for opening the polls the electors present may choose inspectors *via voce*.

†In townships an hour may be taken for dinner.

closed*, the inspectors publicly count the votes and declare the results.†

County Canvassers.—This board consists of one election inspector from each election district. The board meets on the Tuesday following a general election, and on the second Tuesday following the April election. They determine what county officers are elected, according to the returns as reported to them by the several boards of inspectors. The county clerk is clerk of the board.

District Canvassers are chosen similarly to the county canvassers and have similar duties to perform for the district. In districts comprising several counties, the board is composed of the county clerk of each county, together with the sheriff and probate judge of the county wherein the meeting of the board is held.

State Canvassers.—[See CHAP. II., p. 69.]

POLITICAL MACHINERY.

Each political party places the general management of its affairs in the hands of a central committee. The State central committee consists usually of a chairman, secretary and treasurer, with two members from each congressional district. This committee determines the time and place for holding the State convention and apportions the delegates among the counties. Each party has a county committee to determine time and place for holding county conventions and apportion delegates among the townships. Each party has a township committee to determine time and place for holding the caucuses or primaries. The members of the several parties meet at these caucuses and nominate candidates for town-

* Proclamation of the time of closing the polls must be made one hour, thirty minutes, and fifteen minutes before the closing of the polls.

† If the total number of ballots exceeds the total number of registered voters, all the ballots are replaced in the box and enough are drawn out to equal the excess. The counting must be public. The law of 1891 requires that the names of all candidates be printed on one ticket, each political party having a separate column with an adopted vignette or heading at the top. A designated inspector must sign his initials in the upper left-hand corner on the back of each ballot before it is given out. As the voter comes within the railing to vote he receives from the inspector one of these tickets which he must take to the booth and mark with stamp provided for the purpose. A cross below the name of his party alone will vote the straight ticket. If the voter desires to vote for candidates on different tickets, he erases the name of the candidate on his ticket and places a cross opposite the name of the one he desires to vote for. The voter must remain inside the railing one minute. No ballots are to be taken outside the railing. See, p. 102.

ship or ward offices, or select delegates to attend the county convention. The county convention nominates candidates for county officers or selects delegates to attend the State convention. The State convention nominates candidates for State officers, or selects delegates to attend the National convention.

CHAPTER VIII.

SUBORDINATE STATE OFFICERS AND CLERKS.

Title.	Salary.	Title.	Salary.
Secretary Board of Agriculture	\$1,000	Private Sec'y of Governor	\$1,800
State Librarian	1,200	Draughtsman State Land Office	1,000
Assistant State Librarian	900	Bookkeeper State Land Office	1,000
Swamp Land State Road Commissioner	1,200	Cashier in State Treasurer's Office	1,500
Commissioner of Insurance	2,000	General Accountant in Auditor General's office	2,000
Deputy Commissioner	1,200	Clerk of Attorney General	1,000
Railroad Commissioner	2,500	Clerks of Auditor General, four each	1,000
Deputy Commissioner	1,500	Clerks of Secretary of State	1,000
Deputy State Treasurer	2,000	Clerks of Commissioner of Land Office	1,000
Deputy Auditor General	2,000	State Fish and Game Warden	1,200
Deputy Secretary of State	2,000	Commissioners of Mineral Statistics	*1,500
Deputy Com'r Land Office	2,000	Supreme Court reporter	1,500
Deputy Supt. Pub. Instruct'n.	2,000		
State Oil Inspector	1,500		
State Salt Inspector	1,500		
State Veterinarian	\$5 a day		
Commissioner of Labor	2,000		
Deputy Com. of Labor	1,500		
Commissioner of Banking	2,000		

* This covers his expenses and cost of printing the annual statistics.

ELECTIONS.

Name.	Officers elected.	Term of office.
March	Village Officers	One year.
	Judges of Supreme Court	Ten years.
	Judges of Circuit Court	Six years.
April	Justices of the Peace	Four years.
	Township and City Officers	One year.
	Drain Coms. Sch. Inspectors and Reviewers	Two years.
April	Regents of the University	Eight years.
	County Commissioner of Schools	Two years.
	State Executive Officers	Two years.
November	State Legislature	Two years.
or General.	County Officers (except School Commissioners)	Two years.
	Judge of Probate	Four years.

POPULATION OF MICHIGAN.

Census.	Population.	Increase over previous census.	Percent of increase over previous census.	Rank.	Average annual increase.	Population per square mile.
1800	* 551					
1810	4,782	4,231	264.24	25	421	
1820	8,896	4,134	86.81	27	418	0.1
1830	31,639	22,743	255.65	27	2,274	0.6
1840	212,267	181,628	510.90	23	18,062	3.7
1850	397,654	175,387	87.33	20	18,738	6.9
1854	507,521	109,867	27.62		27,466	8.6
1860	749,113	241,592	47.60	16	40,265	13.0
1864	† 803,661	54,548	7.28	†	13,637	13.6
1870	1,184,282	380,621	47.36	13	68,486	20.6
1874	1,334,021	149,749	12.64		37,437	22.6
1880	1,636,937	302,906	22.71	9	50,484	28.5
1884	1,853,658	216,721	13.24		54,180	31.4
1890	2,093,889	240,231	12.96	9	40,038	35.5

* Exclusive of Wayne county, which was returned with Ohio.

† Exclusive of soldiers in the field.

GOVERNORS OF MICHIGAN.

Names.	Date.	Politics.
<i>Governors of the Northwest Territory—</i>		
Major General Arthur St. Clair	1787	Federalist.
Winthrop Sargent, Secretary and Acting Governor	1796	
<i>Governor of Indiana Territory—</i>		
William Henry Harrison	1800	Whig.
<i>Governors of Michigan Territory—</i>		
George William Hull	Mar. 1, 1805	Democrat.
General Lewis Cass	Oct. 29, 1813	"
William Woodbridge, Secretary and Acting Governor at various periods from Aug., 1818 to July, 1827		Whig.
James Witherell, Secretary and Acting Governor, Jan. 1 to April 2, 1830		Democrat.
John T. Mason, Secretary and Acting Governor, Sept. 24, to Oct. 4, 1830, and April 4, to May 27, 1831		"

GOVERNORS OF MICHIGAN.—*Continued.*

Names.	Date.	Politics.
<i>Governors of Michigan Territory.—Continued.</i>		
Stevens Thomson Mason, Secretary and Acting Governor, Aug. 1, to Sept. 17, 1831 ^a	Aug. 6, 1831	Democrat.
George B. Porter ^b		"
Stevens Thomson Mason, Secretary and Acting Governor, Oct. 30, 1831, to June 14, 1832; May 23, to July 14, Aug. 13 to 28, and Sept. 5 to Dec. 11, 1833; and Feb. 1, to 7, 1834.....		"
Stevens Thomson Mason, <i>ex officio</i> as Secretary.....	July 6, 1834	"
Charles Shaler (declined).....	Aug. 29, 1835	"
John S. Horner, Sec'y and Acting Governor.....	Sept. 8, 1835	"
<i>Governors of the State of Michigan—</i>		
Stevens Thomson Mason [†]	Inaugurated.	
Edward Mundy, Lieut. Governor and Acting Governor, April 13 to June 12 and Sept. 19, to Dec. 9, 1838.....	Nov. 13, 1835	"
William Woodbridge ^c		"
James Wright Gordon, Lieut. Governor and Acting Governor.....	Jan. 7, 1840	Whig.
John S. Barry [†]	Feb. 24, 1841	"
Alpheus Felch ^d	Jan. 3, 1842	Democrat.
William L. Greenly, Lieut. Governor and Acting Governor.....	Jan. 5, 1846	"
Epaphroditus Ransom.....	Mar. 4, 1847	"
John S. Barry.....	Jan. 3, 1848	"
Robert McClelland ^{† e}	Jan. 7, 1850	"
Andrew Parsons, Lieut. Governor and Acting Governor.....	Jan. 1, 1852	"
Kingsley S. Bingham [†]	Mar. 8, 1853	"
Moses Wisner.....	Jan. 3, 1855	Republican.
Anstin Blair [†]	Jan. 5, 1859	"
Henry H. Crapo [†]	Jan. 2, 1861	"
Henry P. Baldwin [†]	Jan. 4, 1865	"
John J. Bagley [†]	Jan. 6, 18 9	"
Charles M. Crosswell [†]	Jan. 1, 1873	"
David H. Jerome.....	Jan. 3, 1877	"
Josiah W. Begole.....	Jan. 1, 1881	"
Russell A. Alger.....	Jan. 1, 1883	Greenback.
Cyrus G. Luce [†]	Jan. 1, 1885	Republican.
Edwin B. Winans.....	Jan. 6, 1887	"
John T. Rich.....	Jan. 7, 1891	Democrat.
	Jan. 2, 1893	Republican.

[†] Reslected.

^a Succeeded General Cass, appointed Secretary of War.

^b Died of cholera July 6, 1834.

^c Elected United States Senator and resigned, Feb. 23, 1841.

^d Elected United States Senator and resigned, March 3, 1847.

^e Appointed Secretary of the Interior and resigned March 7, 1853.

MICHIGAN DATES.

- 1610. First discovery.
- 1641. Founding of Jesuit missions.
- 1668. Settlement at Sault Ste. Marie.
- 1701. Settlement at Detroit.
- 1760. British gained possession of Michigan.
- 1763. Treaty of Paris.
- 1763-5. Pontiac's conspiracy.
- 1787. Ordinance of Northwest Territory.
- 1788. Northwest Territory organized at Marietta.
- 1796. "Stars and Stripes" raised in Detroit. County of Wayne organized.
- 1802. First township organized—Detroit. Michigan attached to Indiana Ter.
- 1805. Territory of Michigan organized. Detroit burned.
- 1809. First school district laid out. First printing press.
- 1811. Tecumseh's conspiracy.
- 1812. Detroit surrendered to the British.
- 1817. First newspaper in Detroit. First school.
- 1818. First public sale of land. First steamer on Lake Erie.
- 1819. First delegate to Congress.
- 1825. Counties divided into townships.
- 1826. Two townships set apart for University fund.
- 1827. First flour exported.
- 1832. Black Hawk War.
- 1832-4. Cholera plague.
- 1834. Constitution adopted. Territory enlarged to the Rocky Mountains.
- 1835. First railroad.
- 1836. Toledo war. Wisconsin territory set off.
- 1837. University founded. Michigan admitted.
- 1837-9. Wildcat banks. Great panic.
- 1847. Capital removed to Lansing.
- 1849. Mormon colony founded.
- 1850. New Constitution.
- 1854. Deaf and Dumb School organized.
- 1855. Industrial School for Boys organized. Agricultural College organized.
- 1856. James J. Strang assassinated.
- 1860. First successful salt well.
- 1874. State Public School organized.
- 1875. High license amendment.
- 1879. Blind School organized.
- 1881. Industrial School for Girls organized.
- 1885. Mining School organized. Soldiers' Home organized.

REVIEW QUESTIONS.

(Continued from page 64.)

126. What is the compensation of Governor and Lieutenant Governor, and how is it paid?
127. Name the executive officers of the State and a duty of each.
128. When does their official term begin?
129. Who fills the vacancies in State offices?
130. If the Senate does not confirm the Governor's appointment, is the office vacant?
131. Acting together, what do three of the State officers constitute?
132. What is meant by "adjusting a claim?"
133. Where and how are contested elections decided.
134. What are the principal duties of the Secretary of State?
135. What is a State "sealer of weights and measures?"
136. What security does the State require of her Treasurer?
137. What are the chief duties of the Auditor General?
138. If the Auditor General approves a claim must it be paid? Who pays it?
139. What are the chief duties of the Commissioner of the Land Office?
140. Give the principal duties of the Superintendent of Public Instruction.
141. Name the three duties of the Attorney General.
142. What are "ex officio" State boards? Name three.
143. Name five principal State boards appointed by the Governor; and name two boards elected by the people.
144. Name one duty devolving upon the Governor not paralleled by a duty of the President.
145. Who restricts the appointing power of the Governor?
146. Write upon the board in order of importance the different State officers, with each of his duties in the order of importance.
147. Are any of the State officers allowed fees in addition to a fixed salary?
148. What officer may receive fees and salary?
149. What officer should receive only salary? Only fees?
150. When is an order "countersigned?"
151. What persons are entitled to copies of the statutes?
152. When is a claim "liquidated?"
153. May the Auditor General liquidate claims without the consent of the legislature?
154. In what is the judicial power of Michigan vested?
155. What is a municipal court?
156. Name the municipal courts that have been established by the legislature.
157. What is criminal and civil jurisdiction?
158. Define appellate, original, and concurrent jurisdiction.
159. What courts have only original jurisdiction?
160. Give the changes that have taken place in the organization of the supreme court within the last thirty years.
161. Give the number of justices of the supreme court, their term of office and qualifications.
162. How many terms of court are held annually?
163. Into how many judicial circuits is Michigan divided? In which one are you?

164. What is the name of your circuit judge? His residence? What counties are in his circuit?
165. What is term of office, and salary of circuit judges?
166. What power controls judicial circuits, and under what restriction do they act?
167. What jurisdiction have circuit courts?
168. To what extent does the supervisory control of circuit courts extend?
169. How often does your circuit court assemble?
170. Who prosecutes all criminal cases before the court?
171. What appointing power have judges of the circuit court?
172. Do you understand from Sec. 10, Art. IV, that judges of the supreme court may fill vacancies in office of county clerk?
173. When shall court be held oftener than two times a year, and when may judges exchange circuits.
174. Name the officers of the supreme and circuit courts; by whom are they appointed or elected?
175. What is a probate court? Give salary and term of office.
176. What are duties of circuit court commissioners?
177. In what is the judicial power of a township vested?
178. What is the jurisdiction, term of office, and salary of justices?
179. If A is sued to recover a note of \$100, where will the case be tried?
180. Under what circumstances may the justice's court have concurrent jurisdiction, and for what amount?
181. If B steals \$25.10 where will he be tried?
182. Under what circumstances do circuit judges and justices of the peace vacate their offices?
183. What are "courts of conciliation"?
184. When is a jury trial guaranteed?
185. What is a petit jury?
186. How are juries in justices' court drawn?
187. How are juries drawn in a circuit court?
188. What persons are not liable to serve on a jury?
189. What is a grand jury? By what has it been superseded?
190. What is meant by Sec. 35, Art. IV?
191. Name the special municipal courts and give their jurisdiction.
192. What are duties of constables, marshals, sheriffs, policemen* and detectives?
193. What is the jurisdiction of each, and by whom appointed or elected, and how paid?
194. What are notaries public? By whom appointed, and duties?
195. What four classes of voters are recognized in Art. VII, Sec. 1? How many are citizens of the U. S.?
196. What restriction as to residence applies to all?
197. Under what circumstances may sailors and soldiers, who are away from home, vote?
198. What privileges have electors on election day?
199. What is meant by gaining or losing a residence?
200. What three conditions do not cause one to gain or lose a residence?
201. Can inmates of a poorhouse vote in the township where they are kept?
202. What determines whether a man is a resident of a place or lot?
203. Give the substance of two laws passed pursuant to Sec. 8, Art. VII.
204. What are boards of registration, inspectors of election, and boards of canvassers?
205. When and where may a voter give his registry?
206. How often does one have to be registered?

207. Can a man vote when he is not registered?
208. Give the duties of the county, district, and state canvassers.
209. Give the times of the three regular elections.
210. What officers are elected at each election?
211. What is meant by swearing in a vote?
212. Name an officer holding office for one year, for two, for three, for four, for more than four.
213. What is a caucus? A primary?
214. Who calls caucuses, and what is done there?
215. Who attend county conventions, and on what basis are delegates selected?
216. What is done at a state convention?
217. How are delegates selected to attend a national convention?
218. What judicial power have inspectors of election?
219. When do the polls open and close?
220. Explain the manner of handing in one's ballot.
221. In case the number of ballots in the box is greater than the registered voters, what is done?
222. Describe the Australian ballot system.
223. What is done if two candidates receive the same number of votes?
224. Does not this conflict with Art. IV., Sec. 27?
225. Would it be legal to have a mass meeting and elect county officers by acclamation?
226. What is a county? What was the origin of the term?
227. What is an unorganized county?
228. What divisions in other countries resemble a county?
229. What is a body corporate? Name three corporations in your own town or county.
230. How many townships in a county? What exception.
231. Is the township a state or U. S. unit?
232. Under what limitations may a city be organized into a county? Is there any such organization in Michigan?
233. Name the principal judicial, legislative, and executive officers of a county, and one duty of each.
234. What officers may hold office at the county seat?
235. What peculiarity is there in the tenure of the sheriff's office? Why?
236. Name the chief duties of sheriff.
237. What is the constitution of the board of supervisors?
238. What is the salary of members, and what are five principal duties of the board?
239. How many members of the board of supervisors in your county?
240. Of all duties of the board of supervisors, which two are the most important?
241. What are the duties of the county clerk? How is he paid?
242. What are the duties of the prosecuting attorney?
243. Who elects the superintendents of the poor, and what are their duties?
244. Who are county, and who are township poor?
245. Briefly outline the judicial system of a county.
246. Under what conditions may a county seat be established and removed?
247. Who determines the amount of money to be raised annually?
248. Is the board limited in any way as to the amount of money raised for particular purposes?
249. In what respect does Wayne county differ in its organization from other counties?

250. For how long are county officers elected?
251. What are the treasurer's duties?
252. How are the moneys paid out of the county treasury?
253. What are the duties of the recorder, and how is he paid?
254. Why should the county have a surveyor, and what are his duties?
255. What is a coroner's jury? When is it called?
256. When does the coroner perform the duty of some other officer?
257. What is a judicial circuit? How many in Michigan?
258. Who may give temporary relief to the poor?
259. Define a township, a state, a nation.
260. How are townships divided and numbered?
261. Locate the base line and prime meridian of Michigan?
262. In what county is township three east, range two north?
263. When was the U. S. divided into townships?
264. When is the township meeting held, and what business is transacted?
265. When may special meetings be called?
266. Name the eight township officers and their term of office?
267. In what ways are vacancies in township offices filled?
268. Which officer has the most important duties?
269. How does the supervisor find out the number of births and deaths?
270. How often is the census taken and in what year?
271. What are the chief duties of the township clerk?
272. Duty of treasurer; why is his term of office limited?
273. When are overseers of highways appointed?
274. What is the duty of the commissioner of highways?
275. What are "noxious" weeds?
276. What is the duty of drain commissioner?
277. What are duties of justices of the peace?
278. Name five offenses tried in justices' courts.
279. Name the ministerial officers of the township.
280. Who constitute the township board?
281. What are the duties of this board?
282. Duties of pound masters, and their fees?
283. Is there a pound in your township? Where?
284. Which of the township offices is the most lucrative?
285. In what is the legislative and judicial power of the township vested?
286. Who are the educational officers of the township?
287. How many acres in the S. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of Sec. 4?
288. How many acres in the S. $\frac{1}{4}$ of the S. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of the S. E. $\frac{1}{4}$ of Sec. 7? Locate it by diagram?
289. Bound your township.
290. Who are civil officers?
291. Who impeaches civil officers?
292. Who tries impeachments?
293. Outline the steps necessary to an impeachment, and describe the trial.
294. How does Art. XII., Sec. 2, compare with the corresponding section in the Constitution of the U. S.?
295. What may follow conviction on impeachment?
296. Explain the meaning of the last clause of Art. XII., Sec. 2, and illustrate it.
297. At what time is the impeachment tried?
298. What power of removal has the Governor?
299. Who removes district officers?
300. Give the power of the President of the U. S. which corresponds to the power granted the Governor in Art. XII, Sec. 8?

301. Has a Michigan officer ever been impeached?
302. Who is the chief educational officer?
303. What are his chief duties? Which of these is the most important?
304. In how many ways are the schools of the State supported?
305. What is the constitution and duties of the State board of education?
306. What is the constitution, organization and duties of the board of regents?
307. What provision does the constitution make for the establishment of libraries?
308. What moneys form the library fund?
309. What power may divert this money into other channels? Is it wise to do this?
310. What is the principal source of revenue for public schools?
311. How many dollars did your parents pay toward the taxes in the school you now attend?
312. What were all the other taxes combined? Does this suggest any lesson to you?
313. Who apportions the primary school fund? When is this done?
314. Which section of land is set apart for educational purposes? If this comes in a lake what is done?
315. How will you find Sec. 20 in a township?
316. When are school district taxes raised?
317. What business is transacted at a school meeting?
318. May women vote at this meeting?
319. What are the general qualifications of voters at this meeting?
320. When was Sec. 11, Art. XVIII, made a part of the constitution?
321. What is meant by Sec. 12, Art. XVIII? Is this wise?
322. What rights are guaranteed to alien residents?
323. What restriction is placed on the revision of the laws?
324. Where is the Reform School? Who may be sent there? What are they taught?
325. Where is the Industrial Home? Who are sent there? How are they educated?
326. Where is the House of Correction located? What is its object? Who may be sent there?
327. Explain the organization and duties of the State board of corrections and charities?
328. What and where is the State School?
329. Of whom shall the militia be composed?
330. What persons are exempt from military duties?
331. Who are the enrolled militia? When subject to duty?
332. What is the term of enlistment in the State troops, and what is the pay?
333. Who is Commander-in-Chief of State troops?
334. What are the rank and duties of the following: Quartermaster General, Adjutant General, Inspector General?
335. What is the organization and duty of the State military board?
336. Enumerate the several items of personal property exempt from sale on execution?
337. What two authorities may issue State teachers' certificates?

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142. What are "costs" of a suit, and who pays them?
143. What is the longest imprisonment and the heaviest fine that can be imposed by a justice?
144. In bringing a suit before a court how may one be represented?
145. What is libel? What is slander?
146. Are the punishments the same? Why?
147. Give the section in the Constitution of the U. S. which corresponds to Sec. 26, Art. IV.
148. What are "unreasonable searches and seizures?"
149. Who is the judge of the "unreasonableness?"
150. May officers of the law seize upon property without a search-warrant?
151. Is there any court in which a criminal offense is not usually tried by a jury?
152. Under what circumstances may one demand a jury trial in a civil case?
153. Give rights in criminal cases guaranteed in Sec. 28, Art. IV. Compare them with like rights guaranteed in the Constitution of the U. S.
154. Under what circumstances may a person be tried for the same offense twice?
155. May an accused refuse to be questioned under the right guaranteed in Sec. 32, Art. IV.?
156. Explain how one may be imprisoned on a contract.
157. What does and what does not prevent a man from being a witness?
158. Do all states admit the testimony of persons of any of no religious belief?
159. Under what circumstances may a new trial be obtained?
160. Can any case begun in a justice's court be carried to the circuit court?
161. Can any case begun in the circuit court be carried to the supreme court?
162. Under what circumstances may a case arising in a state get into a U. S. court.
163. If a man violates the tobacco tax law in what court will he be tried?
164. Who is the plaintiff in criminal action? Who represents them?
165. What is the pay of jurors and witnesses?
166. Are witnesses obliged to attend when summoned in civil cases?
167. May the sheriff in criminal cases go outside the state for a witness?
168. Distinguish between a fine, a penalty, tax, license, and punishment.
169. When do the following years begin: U. S. fiscal year, U. S. official year, Michigan school year, fiscal year, fiscal year in cities?
170. Name four classes of individuals who become citizens of the U. S. in accordance with special laws.
171. Does being a citizen of the U. S. make one a citizen of the different states?
172. May one be a voter in different states and yet not be a citizen of the U. S.
173. If a resident of a township has been to Ann Arbor at school, can he vote in the township without ten ten days' residence?
174. Do U. S. officers vote?
175. Can a Chinaman vote in Michigan?
176. Can a Chinaman be a naturalized citizen of the U. S.? What is the meaning of the XV. amendment, U. S. Constitution?
177. Is a Chinaman a citizen of the U. S. if born here?
178. What is the difference between an immunity and a privilege?
179. What are the essential features of a corporation, and how does it differ from a partnership?
180. How are corporations created? What are the three divisions of corporations?

181. Can an individual sue a county? If so, who would represent the county?
182. If a sheriff allows a prisoner to escape, by negligence, what is the remedy?
183. Name three ways in which our laws favor the poor. Do they favor the rich? How?
184. Why should a record of births, deaths and marriages be kept?
185. Give one reason for and one reason against the board of supervisors fixing the clerk's salary.
186. What is a tax sale? Tell all you can about it.
187. What is a fine, a forfeiture, a penalty, a recognizance? To what purposes are these put?
188. What is a deed, a mortgage, a title?
189. If a road is ordered through a man's farm, how is he compensated?
190. What is the law in regard to Canada thistles?
191. Is there such a thing as a drain tax?
192. Are persons taxed whose lands are not benefited by the drain?
193. Are residents of a township obliged to keep up partition and road fences?
194. If A's cow strays onto B's premises and eats corn, does a suit against A lie?
195. If B's premises have no road fence, and A's cow is poisoned on B's land, does a suit against B lie?
196. Are road fences of wire legal?
197. If a defective bridge causes loss of life, who is sued? Are bridges required to be railed?
198. If a man opens a saloon in a township, who grants his license?
199. What is an ex officio position? Name three.
200. Are all townships of the same size?
201. Distinguish between corrupt conduct in office and out of office.
202. Under what circumstances may an impeachment be directed?
203. What is the inquisitorial power of the house?
204. Do you regard Art. XII., Sec. 4, just? Why?
205. What is a provisional appointment, and who may make one?
206. Mention an act for which a judge may be removed.
207. Does this refer to supreme judges, or to any judge?
208. If the legislature afterwards find the removal to be unjust may it reinstate the judge?
209. Define misfeasance and malfeasance.
210. What is the origin of the primary school fund?
211. What per cent interest does it yield, and what is the income from the fund?
212. About how many acres of swamp land have been set apart for the primary school fund?
213. How many acres are today subject to entry?
214. In which county is the greatest number of acres?
215. What is the swamp land fund? What is the rate of interest?
216. How many acres of swamp lands are subject to entry and what is the average price per acre.
217. In what year were the swamp lands given to Michigan?
218. How many different kind of lands did the United States give to Michigan for school purposes?
219. How many acres do Indians own?

220. Were there any escheats to the State during last year?
221. For how long a time shall school be held in each school district?
222. What is the penalty for violation of this law?
223. What relation to education is the one mill tax, district taxes, surplus dog tax, and fines collected under violation of the penal laws?
224. In what language shall instruction be given in the schools?
225. If a teacher teaches Latin and German by the natural method, and speaks only those languages in the class, can he be said to give instruction "conducted in the English language?"
226. Tell something of the history and present organization of the State University.
227. What is the source of the University fund?
228. By what other revenues is the University supported?
229. What were the total expenses of the University for the last year?
230. What was the total expenditure for educational purposes in the previous year? In the same time what was the amount expended for alcoholic drinks in the State?
231. How is the Normal School supported, and what were the expenses for the last year?
232. Where are the institutions for the blind, insane, deaf and dumb located?
233. What is the policy of the State in regard to these institutions?
234. When was the Agricultural College established?
235. What is the object of the school; what are its resources?
236. Has the State ever appropriated for it the salt lands mentioned in the constitution?
237. Are any of our institutions self-supporting?
238. May the residents of a township vote money to buy books for the township library?
239. When may a school district establish a library?
240. Can this be done at a special meeting?
241. Who has charge of library money and who expends it?
242. Under what circumstances are library moneys forfeited?
243. Is there a library in your township? In what condition is it?
244. Is it the gross or net proceeds of fines that are applied to library purposes?
245. For what particular expenditure is the interest on the primary school fund intended?
246. What is a board of visitors? How are they paid? What are their duties, and by whom are they appointed?
247. What are the duties of the board of school examiners? By whom are the members elected and what is their term of office?
248. What are special duties of the commissioner, and how is he paid?
249. How often are teachers required to be examined?
250. What are the requirements for, and the legal standing of, the three grades of certificates?
251. What is the examination fee, and for what purpose does it go.
252. What persons are not required to take county examinations?
253. What township officers are more or less connected with educational affairs?
254. How many months of school are required in a district numbering 900 children?
255. Name the legal school holidays.
256. When does the school year begin? What exception?

257. How much money for building school-houses can be voted at a school meeting in a district having nine children? How much can be appropriated in a district having forty children?
258. What is the limit of the amount that can be raised for school apparatus, etc.?
259. What are the limits to the bonded indebtedness of school districts?
260. What is the organization and duty of the district board?
261. What are the duties of individual members?
262. What is the true distinction between real and personal property?
263. What real estate is safe from execution?
264. If A mortgage to me his homestead, can I come into possession?
265. What is the rule for the descent of property in Michigan?
266. What was the rule under the common law?
267. What did the ordinance of 1787 say about education?
268. Name the pioneers of our educational system.
269. Who planned our educational system?
270. What was the rate bill and when abolished?
271. Define a direct and indirect tax.
272. Has the United States ever levied a direct tax?
273. Is the United States liquor tax a direct or indirect tax?
274. Name in the order of magnitude the different taxes that an ordinary citizen pays.
275. What are specific taxes, and to what purposes are they put?
276. How many dollars were raised by State tax last year?
277. How does the per capita taxation in Michigan compare with taxation in other states?
278. What is a sinking fund? When was it established, and when did it cease?
279. When is a debt funded?
280. Give the different elements of the State debt.
281. It is sometimes said Michigan has no debt; explain.
282. What is the meaning of the last sentence of Sec. 2, Art. XIII?
283. How is the State limited in regard to deficits in revenue?
284. For what purposes may the State contract debts?
285. In what way is money paid out of the treasury?
286. What is the meaning of Sec. 6, Art. XIII?
287. What is script? May a state emit bills of credit?
288. Tell something of the finances during "wildcat times."
289. What is a bond? Describe the bonds of the United States.
290. Has the State any bonds out? When were they due?
291. Why should Sec. 8 be inserted in the constitution?
292. Who has made "grants to the State of lands or other property?"
293. Explain what is said in the ordinance relative to the admission of Michigan into the United States; about lands for public buildings; and proceeds for roads and canals.
294. From what corporations are specific taxes collected?
295. What per cent are railroads and banks taxed?
296. What are plank roads? Are there any now? Under what circumstances were toll-gates allowed?
297. How many each of legislative, senatorial, and judicial districts in the Upper Peninsula?
298. What distinction has been made in regard to representatives from the Upper Peninsula?

299. What is done with specific taxes from mining companies in the Upper Peninsula?
300. Do mining companies pay State taxes?
301. Are mining companies incorporated for more or less than thirty years?
302. What are inspection laws, and by whom are inspectors appointed?
303. What is the inspection tax on each barrel of salt? On each barrel of illuminating oil?
304. May a state place a duty on imports?
305. Name five things inspected by Michigan officers.
306. How often are statements of receipts, etc., to be published?
307. Why are laws required to be in the English language?
308. Give the amendment of the United States Constitution corresponding to Sec. 7, Art. XVIII.
309. What are "concealed weapons?" Is there a law against carrying them?
310. May a person carry a revolver for his defense?
311. Has Michigan a compulsory education law?
312. How many months must every child attend school in each year?
313. What regulation is there in regard to employing children?
314. What is an "ungraded school?" What pupils are sent thereto?
315. What may be done with truants? If a boy 15 years old is an habitual truant may he be arrested as a juvenile offender?
316. Is the truant law enforced in your village?
317. Name and locate the charitable, penal and reformatory institutions of Michigan.
318. Would it be best to have convicts manufacture no articles of consumption.
319. What is the law in regard to bridging and damming navigable streams?
320. Does the latter part of Sec. 4, Art. XVIII., conflict with Sec. 9, Art. XIV.?
321. Give the substance of the official oath.
322. What officers are not required to take oath?
323. For what offenses are persons sent to Jackson?
324. May boys be sent there? May women?
325. What is the shortest time for which one may be sent to Jackson?
326. Under whose control is the Detroit House of Correction?* Who may be sent there and under what circumstances?

*Detroit House of Correction is under the control of the city of Detroit. The State pays for the support of such female prisoners as it finds necessary to send there.

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[The numbers designating the Articles are given in Roman; those of the Sections in Arabic figures.]

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[Apply the same questions to clerk as to county treasurer.]

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